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Record Suspension Guide

*A guide to help those with criminal records
apply to get their records suspended*

John Howard Society of Manitoba



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This resource guide was produced by the John Howard Society of Manitoba. We are a provincial charitable organization delivering services in communities throughout the province. Our mission is to work towards effective, just, and humane responses to crime and its causes.

Please visit our website, www.johnhoward.mb.ca, to learn more about us and access a variety of publications on criminal justice research and policy topics.

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Contents

A. Frequently Asked Questions	4
B. What You Need to Do	8
1. Complete all your sentences.	8
2. Complete the duration of the waiting period.....	8
3. Get a Record Suspension application.	9
4. Make sure you have valid identification.....	9
Government Issued Identification	10
Passport	10
Manitoba Identification Card	10
Permanent Resident Card.....	11
Citizenship Card	11
Driver' License	11
Supporting Identification	11
5. Get your RCMP criminal record check with fingerprints.....	12
6. Get your local police record check.	15
7. Get Proof of Conviction/Completion.	15
8. Get your court information.	17
9. Get your Military Conduct Sheet.	17
10. Get your proof of citizenship or immigration documents.....	18
11. Get a copy of your document to support your identity.	19
12. Complete your Record Suspension Application Form.	19
13. Complete the Measured Benefit/Sustained Rehabilitation Form.....	19
14. Photocopy all documents included in your application.	20
15. Mail the completed application package to the Parole Board of Canada.....	20
16. Wait for a response from the Parole Board.	21
17. Record Suspension granted or denied.....	21

Frequently Asked Questions

What is a Record Suspension?

A Record Suspension (formerly called a pardon) does not erase the fact that you were convicted of a crime, it only stops that information from being shared. This helps people with criminal records access employment and educational opportunities.

All information about the conviction will be taken out of the Canadian Police Information Center (CPIC) and cannot be released without approval from the Minister of Public Safety and Emergency Preparedness of Canada.

A Record Suspension has no effect on prohibitions such as restraining orders, firearm restrictions, and driving restrictions.

Most provincial and municipal criminal justice agencies also limit access to their records once they are told that a Record Suspension has been ordered.

Who can grant a Record Suspension?

Only the Parole Board of Canada can grant, deny, cancel, or withdraw a record suspension.

How much will it cost to obtain a Record Suspension?

The application fee is **\$631** and it is non-refundable. This means that after you have sent in your application and paid the fee, you do not get any money back, even if you are denied a Record Suspension.

Other required costs you will be responsible for include

- any and all fines, surcharges, restitutions, and compensation orders that were a part of your sentence;
- fingerprinting;
- a criminal record check and local police record check; and
- court documents.

There may be other fees that you need to pay as well. For example, if you do not have valid identification such as a passport, birth certificate, or driver's license, it will cost you to get new copies.

Why does it cost so much?

In 2011, the federal government raised the cost to apply for a Record Suspension from \$150 to \$631. They claimed they needed to increase the cost to cover the full expense of issuing a record suspension, though they have never provided any actual figures to verify that it costs this much. It is clear, however, that at least some of the increased cost is the result of changes brought in by the federal government in 2009 and 2011, making the process much more complicated.

Who can apply for a Record Suspension?

You can apply for a Record Suspension if you were convicted of an offence

- in Canada under a federal act or regulation of Canada as an adult, or
- in another country and were transferred to Canada under the Transfer of Offenders Act or International Transfer of Offenders Act.

Who cannot apply for a Record Suspension?

You cannot apply for a Record Suspension if you have been convicted of

- a sexual offence involving a child (and you do not meet the criteria outlined in the next question), or
- four or more indictable offences that each came with a prison term of two years or more.

Can someone convicted of a sexual offence involving a child apply for a Record Suspension?

• You may apply for a Record Suspension if you were convicted of a sexual offence involving a minor if you can prove that you meet the following criteria:

- You were *not* in a position of trust or authority to the victim and/or the victim was *not* dependent on you.
- You did *not* use, threaten, or attempt to threaten the use of violence, or intimidate or coerce the victim.
- You were *not* more than five years older than the victim.

However, just like every other application, the Parole Board of Canada may not issue a Record Suspension even if you meet these criteria.

Do I need apply for a Record Suspension if I am a young offender?

You may need to apply for a Record Suspension if you were convicted as an adult while you were still a young offender.

However, you do not need to apply for a Record Suspension if you were only found guilty in a youth court or youth justice court. Youth records are destroyed or stored separately after a set period of time.

Do I need to apply for a Record Suspension if I received an absolute or conditional discharge?

If you have received absolute or conditional discharges, you do not need to apply for a Record Suspension.

Absolute discharge means the accused is found guilty of an offence but not convicted and is discharged with no conditions. It usually will not add to the individual's certified criminal record but may be located on local police records.

Conditional discharge means the accused is found guilty of an offence but not convicted and is discharged with conditions listed in a probation order. It usually will not add to the individual's certified criminal record but may be located on local police records.

If you received your absolute or conditional discharge after July 24, 1992, the RCMP will automatically remove absolute discharges one year after the court decision and conditional discharges three years after the court decision.

If you received conditional and absolute discharges before July 24, 1992 they can be removed upon written request by contacting the RCMP at:

RCMP Pardon and Purge Services
P.O. Box 8885
Ottawa, Ontario, K1G 3M8

You may also fax your request to 613-957-9063.

Will a Record Suspension guarantee me entry into the United States?

There is no guarantee. In fact, you may have to fill out a United States entry waiver form (I-192) for certain serious offences. The US entry waiver form costs \$585 and takes 6–18 months to receive.

There are certain offences that you do not need to fill out a US entry waiver form for such as simple assault, driving under the influence, breaking and entering, disorderly conduct (e.g. public intoxication), and theft under \$1000.

Some offences that you will have to fill out the US entry waiver form are murder, manslaughter, prostitution, kidnapping, serious drug offences, sexual assault, and theft over \$1000.

If your offence is not listed above, or you are not certain about your circumstances, you should contact the US consulate to determine if you need to fill out a US entry waiver form:

Consulate of the United States of America in Winnipeg
201 Portage Avenue, Suite 860
Winnipeg, Manitoba R3B 3K6
Phone: 204-940-1800
Fax: 204-940-1809
Website: winnipeg.usconsulate.gov

Will a Record Suspension guarantee me entry into other foreign countries?

No, you will need to contact the embassy of the country you want to visit and ask about obtaining entry.

Do I need a Record Suspension to apply for a passport?

No, you do not.

Do I need a lawyer or representative to apply for a Record Suspension?

No. You can do it without one. Having a lawyer or representative does not speed up the process or guarantee you will get a Record Suspension.

Can a Record Suspension be denied?

Yes, but you may reapply after one year.

Can a Record Suspension be revoked or cease to have effect?

Yes, the Parole Board of Canada may revoke a Record Suspension if

- the person is later convicted of an offence under a federal act or regulation of Canada;
- the Parole Board finds that the person is no longer of good conduct;
- the Parole Board learns that a person lied, made a false or deceptive statement, or concealed relevant information at the time of the application; or
- the Parole Board is convinced by new information that the person was not eligible for a Record Suspension at the time it was granted.

If a Record Suspension is revoked, the records of the offences will once again be kept with the other conviction records.

What You Need to Do

1. Complete all your sentences.

Before you can begin your waiting period (see section 2), you must

- complete all sentences of imprisonment and conditional sentences, including parole and statutory release;
- complete any probation orders; and
- pay all fines, surcharges, costs, restitution, and compensation orders associated with your sentence.

If you have prohibition orders such as firearm restrictions, driving restrictions, and restraining orders, you do not need to have those expired before you can start your waiting period.

You must have original documents (no photocopies) to prove that all your sentences are complete, and they must include

- all of your correct information,
- dates of completion,
- original signatures and,
- original stamps or seals.

If you are missing the proof that your sentence is complete, you can try and get it by contacting

- the lawyer who represented you;
- your probation officer, if you had one; or
- the courts, for a record of fines paid, conditions met, etc. (see section 7 for more information on how to contact the courts).

2. Complete the duration of the waiting period.

The length of your waiting period depends on whether your sentence was for a summary conviction/offence or an indictable conviction/offence.

Summary convictions/offences are the least serious crimes under the Criminal Code. Examples include solicitation of prostitution, causing a disturbance, harassing phone calls, driving under the influence, and most vandalism cases. A summary offence is never tried by jury and is usually punishable by a fine up to \$5000 and/or six months in jail.

For a summary conviction/offence, you will have to wait **five years** from the date your sentence is complete.

Indictable convictions/offences are the most serious crimes under the Criminal Code. Examples include manslaughter, murder, drunk driving causing injury or death, armed robbery, drug trafficking, certain sexual offences, theft of \$5000 or more, and vandalism causing injury.

For an indictable conviction/offence, you will have to wait **ten years** from the date your sentence is complete.

Hybrid convictions/offences are less common. They are offences in which the Crown can choose to go to court either as a summary conviction or as an indictable offence. All hybrid

offences are considered indictable until the Crown decides how it wishes to proceed. After the proceedings, it could result in either a summary conviction or an indictable conviction.

If you aren't sure whether you were convicted of an indictable or summary offence, you can

- check with the lawyer who represented you;
- check court or probation records;
- or ask the police to provide a record check (which you need to pay for) showing your convictions, which may tell you if it was an indictable or summary offence.

During this waiting period, you need to show that you are living a law-abiding lifestyle, and you will need to prove this to the Parole Board of Canada when you apply for your Record Suspension.

This is a good time to attend programming, upgrade your education, get training, volunteer with organizations, and take part in support groups. Make sure that you keep documentation for all of these things, as you will need it later.

3. Get a Record Suspension application.

Record Suspension applications and information are available on the Parole Board of Canada website: www.pbc-clcc.gc.ca. There is also a video tutorial on this site for gathering your documents and filling out your Record Suspension application.

If you do not have access to a printer, you can ask your local John Howard Society to print one for you. Or, do it yourself by visiting this website and clicking File > Print: <http://www.pbc-clcc.gc.ca/prdons/pardoninstr-eng.pdf>

This package will include

- a step-by-step guide,
- a Record Suspension Application Form,
- a court information form,
- a local police record check form, and
- a measured benefit/sustained rehabilitation form.

All forms need to be filled out and submitted to the Parole Board of Canada with your Record Suspension application.

4. Make sure you have valid identification.

For many of the following steps, you will need to be able to prove who you are. You will need at least one piece of valid government-issued photo identification and one supporting piece of identification:

Government-issued photo identification must be current and valid and include your legal name, photo, date of birth, and signature. Types of government-issued photo identification can include the following:

- Driver's license
- Manitoba Identification Card
- Secure Certificate of Indian Status
- Permanent resident card
- Citizenship card
- Passport

Supporting identification must include your name on it. Types of supporting identification can include the following:

- Lease or mortgage agreement
- Utility bill
- Birth certificate
- Health card

If you do not have proper identification, you should obtain it as soon as possible.

GOVERNMENT ISSUED PHOTO IDENTIFICATION

Passport

Fee: \$120 for a 5-year passport or \$160 for a 10-year passport

Go to <http://www.cic.gc.ca/english/passport/forms/pdf/pptc153.pdf> to get the passport application form.

Processing Times: It will take 10 business days if you apply in person or 20 business days if you apply by mail or in person through a service representative

Passport Canada Office in Winnipeg

Address: 433 Main Street, Suite 400, Winnipeg, MB R3B 1B3

Hours of operation: 8:00 am to 4:30 pm on weekdays

Brandon Service Canada Centre

Address: 1039 Princess Avenue, Brandon, MB R7A 6E2

Hours of operation: 8:30 am to 4:30 pm on weekdays

Note that Brandon Service Canada Centre acts as a service representative, so it will take 20 business days to process your application.

Manitoba Identification Card

Fee: \$20 for a Manitoba Identification Card valid for up to five years.

You are eligible for a Manitoba Identification Card if you

- are a Manitoba resident,
- are allowed to be in Canada, and
- do not already hold a driver's license or Manitoba Enhanced Identification Card

If you are eligible and would like to get a Manitoba Identification Card, visit www.mpi.mb.ca or contact an Autopac agent or a Manitoba Public Insurance Service Centre at any of these locations:

Manitoba Public Insurance offices in Winnipeg

- 234 Donald Street (204-985-8666)
- 40 Lexington Park (204-953-4563)
- 1981 Plessis road (204-985-7771)
- 1103 Pacific Avenue (204-985-7000)
- 1284 Main Street (204-985-7000)
- 15 Barnes Street (204-985-3595)

- 420 Pembina Highway (204-284-7675)
- 930 St. Mary's Road (204-985-7000)
- 125 King Edward Street (204-985-7000)

Manitoba Public Insurance offices in Brandon

- 731-1st Street (204-729-9555)
- 602 1st Street (1-866-323-0542)

Processing time: It will take up to 10 days if your application is approved.

Permanent Resident Card

Fee: \$50 for a Permanent Resident Card valid for five years.

This is only for non-Canadian residents. You can apply for a permanent resident card if you

- have permanent resident status,
- currently reside in Canada, and
- are not a Canadian citizen or registered under the Indian Act.

Get the permanent resident card application at

<http://www.cic.gc.ca/english/pdf/kits/forms/IMM5444E.pdf>

Print the application, fill it out, and then mail it with all required documents to the Case Processing Centre, P.O. Box 10020, Sydney, NS, B1P 7C1.

Processing time: It may take 10 to 12 weeks for your application to be approved.

Citizenship Card

If you have a citizenship card as proof of your Canadian citizenship, you can use that as your one piece of government issued photo identification.

Secure Certificate of Indian Status

Get the application at <http://www.aadnc-aandc.gc.ca/eng/1100100032776/1100100032782> and look under the Secure Certificate of Indian Status Application forms.

Print the application, fill it out, and deliver it to Aboriginal Affairs and Northern Development Canada (Manitoba Region), 365 Hargrave Street, Room 200, Winnipeg MB R3B 3A3
Or, mail it to SCIS Processing Unit, 10 Wellington Street, Gatineau, QC K1A 0H4

Driver's License

Fee: A driver's license will initially cost \$65 for one year and may change in following years, depending on your driving record.

To apply or reapply for a driver's license, visit any of the Manitoba Public Insurance locations previously listed for a Manitoba Identification Card and discuss your options with them.

SUPPORTING IDENTIFICATION

Lease or Mortgage Agreement/Utility Bills

You must be a Manitoba resident and have a permanent address to receive utility bills and to have a lease or mortgage agreement. Copies of these documents are acceptable forms of

supporting identification. Utility bills include hydro/electricity, water and sewage, and telephone/internet service.

Manitoba Birth Certificate

Birth certificates can only be issued in Manitoba if you were born in Manitoba. The cost for a birth certificate is \$30, and it can be paid for by cash, cheque, money order, debit, Visa, or MasterCard.

You can fill out the birth certificate application form in person, or you may visit the website to fill out an application form and mail it in with payment:

http://vitalstats.gov.mb.ca/pdf/application_birth_certificate.pdf

If you were born in another province, you may have to contact that province for assistance if you wish to use a birth certificate for supporting identification.

Print the application, fill it out, and mail or deliver it to Vital Statistics Agency, 254 Portage Avenue, Winnipeg, MB, R3C 0B6.

Hours of Operation: 8:30 am to 4:30 pm, weekdays.

Phone: 204-945-9296

Fax: 204-948-3128

Processing time: It will take one to two weeks for you application to be approved.

Manitoba Health Card

All valid Manitoba residents who are Canadian citizens or have recognized immigration status are eligible for a Manitoba health card. To be considered valid, you must physically reside in Manitoba for six months out of the year.

To apply for Manitoba Health Card, contact Registration and Client Services at Manitoba Health at 300 Carlton Street, Winnipeg, MB, R3B 3M9.

Phone: 204-786-7101

Toll Free: 1-800-392-1207

If you are in Brandon, you may pick up Manitoba Health Forms from the Treasury Department, City Hall, Main Floor, 410 9th Street in Brandon. Once filled out you must mail the application form to the Manitoba Health office in Winnipeg (listed above).

5. Get your RCMP criminal record check with fingerprints.

In order to get an RCMP Criminal Record Check, you will first need to obtain an acceptable copy of your fingerprints from your local police or from one of these recognized agencies:

- L-1 Identity Solutions
 - Phone: 416-816-3841
- ClearNeed Information Systems Inc.
 - Phone: 1-866-464-2700 ext. 2009
- Canadian Corps of Commissionaires
 - Phone: 1-877-322-6777
- XL-ID Solutions (formerly Excellium)
 - Phone: 1-514-360-4550 ext. 101
- National Pardon Centre

- Phone: 1-866-242-2411
- Legal Ease Document Services
- Phone: 1-855-453-2100

The RCMP only accepts electronic fingerprints. The RCMP charges a \$25 fee to all fingerprint and criminal record check submissions – you may pay by certified cheque, money order or bank draft made payable to the Receiver General of Canada. This is the cost to submit it to the RCMP. There is however an additional cost to getting an acceptable copy of your fingerprints.

It is very important to put on your form that you are applying for a Record Suspension as the reason you are requesting a criminal record check

Getting your fingerprints from the Winnipeg Police Service

To get your fingerprints, you can go to the second floor of the Winnipeg Police Service Public Safety Building on 151 Princess Street in Winnipeg.

This location is the only police station in Winnipeg that provides fingerprinting and criminal record checks. You will need to bring government-issued photo ID. If you are not sure whether what you have for identification is acceptable, you should call ahead to 204-986-6246. If you do not have proper identification, the identification unit may be able to confirm who you are with your fingerprints at no extra cost but you should call ahead to confirm if this is possible.

It is always important to say either in person or over the telephone that the reason you require them is for the purpose of applying for a Record Suspension.

The fee for one to two sets of fingerprints is \$58.50. Payment can be made by postal money order made payable to the City of Winnipeg, certified cheque or personal cheque made payable to the City of Winnipeg, or major credit card (MasterCard/Visa/American Express).

The form will ask for your full name, address, date of birth, and gender. After you have filled out the form and your fingerprint are taken, the Winnipeg Police Service will submit your request and you will receive a transcript in the mail.

Getting your fingerprints from the commissionaire’s office

You may also visit the Commissionaire’s Office to obtain a copy of your fingerprints and apply for a RCMP record check, but it will cost more – \$105 for the service. Commissionaires is a privately owned Canadian security company with a good business reputation that often employs former police, RCMP, and military personnel.

They also assist with record suspension applications and US travel waivers but they will do so for a fee (beginning \$420).

The Commissionaires Office is located at 290 Burnell Street in Winnipeg, and their telephone number is 204-942-5993. They have you sign a consent form so that your fingerprints and criminal record check go to their office instead of your mailing address, which requires an additional appointment.

Getting your fingerprints from the Brandon Police Service or Brandon RCMP

You can get your fingerprints and criminal record check done at Brandon Police Service, 1020 Victoria Avenue. The telephone number is 204-729-2345. They are open weekdays from

8:00 am to 1:00 pm and 2:00 pm to 4:30 pm. The fee is \$62 for digital fingerprints plus \$34.50 for a local criminal record check. Cash and debit are the only forms of payment that Brandon Police Service accepts.

You may also visit the Brandon RCMP Office at Site 500, RR 5, Highway 457, Brandon, MB. The fee is \$60.50 for fingerprints plus \$10 for a local criminal record check.

For both locations you will need to

- Print out the Police Criminal Record Check form and Self-Declaration form before arriving. You can download the two forms by following these links:
 - Police Criminal Record Check: <http://police.brandon.ca/images/pdf/crc.pdf>
 - Self-Declaration form:
<http://police.brandon.ca/images/pdf/DeclarationCriminalConvictions.pdf>
- Provide two pieces of identification (see section 5).
- Reside in the city of Brandon.

General information for all fingerprinting locations

You cannot submit your request for an RCMP criminal record check in person. It must be sent by the accredited fingerprint agency or delivered

By mail:

Director General
Canadian Criminal Real Time Identification Services
RCMP, NPS Building
1200 Vanier Parkway
Ottawa, Ontario, K1A 0R2

Or by courier:

Director General
Canadian Criminal Real Time Identification Services
RCMP, NPS Building, Loading Dock #1
1200 Vanier Parkway
Ottawa, Ontario, K1A 0R2

Processing times: For fingerprint submissions submitted by mail, it will take around 11 weeks. For fingerprints submitted electronically by the police or a fingerprinting service, it will take three weekdays or fewer if your fingerprints do not match any RCMP fingerprint holding. If your fingerprints match an RCMP fingerprint holding, the processing time increases to 120 days or more.

The RCMP National Repository of Criminal Records keeps information on indictable and hybrid offences. Summary convictions are not usually submitted to the RCMP unless they are part of an incident involving an indictable or hybrid offence.

The RCMP destroys fingerprint submissions 90 days after a search is completed. These are not added to the RCMP National Repository of Criminal Records and are not searched for future purposes

6. Get your local police record check.

Once you receive your criminal record check and transcript from the RCMP, you will need to get a local police record check for the city or town where you live now and anywhere else you have lived in the past 5 years.

If you lived outside of Canada for some or all of this time, you will still need to get a local police record check from all of the places you lived. If they cannot give you a local police record check, a letter from the local police saying that you have or have not been in good standing may be sufficient.

If the criminal record check or letter is in a foreign language, you will need to have it translated to English or French. You must submit both the original and the translated version with your application.

You will need a Local Police Record Check form for each police service you have talked to. Make as many photocopies as you will need before you start filling them out. The Local Police Record Check form is near the back of the Parole Board of Canada Record Suspension Guide and Application.

Your local criminal record checks are only valid for 6 months from the dates they are issued.

If you live in Winnipeg, you will need to do the following:

- Fill out sections A, B, and C of the local Police Records Check Form, located near the back of the Parole Board of Canada Record Suspension Guide.
- Gather two pieces of valid identification (one must be government-issued and include your name, date of birth, signature and photo); your RCMP criminal record transcript; and a debit card, credit card, postal money order, certified cheque, or personal cheque made out to the City of Winnipeg for a \$33.75 processing fee.
- Go to the cashier on the main floor of the Public Safety Building at 151 Princess Street and tell them you need a Local Police Record Check for the purpose of a Record Suspension Application.
- Take your receipt from the cashier and your documents to the criminal record clerk who will check your application, take copies of your documents, and submit your request.
- Wait for your Local Police Record Check in the mail.

If you do not have proper identification and you have fingerprints on file, they can try to confirm your identity through your fingerprints.

Your criminal record check will not be processed while you are there. You will have to wait for it to be sent to you in the mail.

7. Get Proof of Conviction/Completion.

It is your responsibility to look at all of your criminal record check documents to make sure that all of your convictions are listed on them.

If any convictions are missing, you must get proof of conviction for each conviction missing. First, contact the court that heard your case and/or the Police Service that arrested you:

Courts in Winnipeg:

Provincial Court
Law Courts Building
Main Floor, 408 York Avenue
Winnipeg, Manitoba R3C 0P9
Phone: (204) 945-3454
Fax: (204) 945-7130

Provincial Court, Summary Convictions
Main Floor, 373 Broadway
Winnipeg, Manitoba R3C 0T9
Phone: (204) 945-3156
Fax: (204) 948-2023

Court in Brandon:

Provincial Court
100 – 1104 Princess Avenue
Brandon, Manitoba R7A 0P9
Phone: (204) 726-7114
Fax: (204) 726-6995

There are fees that apply to getting copies of your court and conviction transcripts:

- A rush copy takes one to three working days to process and costs \$5.00 for the first copy and \$1.00 for each additional copy.
- A regular copy takes more than three working days to process and costs \$1.00 per copy.

Some courts and/or police services may have other fees that you have to pay for this service. Make sure you contact them in advance to find out.

Ask for the courts to give you a statement that includes

- the date and court where you were sentenced,
- the offence that resulted in your conviction,
- the sentence you received,
- the arresting police force, and
- a stamp or seal indicating that it is an official document.

All criminal charges disposed of between 1984 and 1996 are stored off site at Government Records. These court records have to be specially ordered, therefore these requests will take longer to process.

All Provincial Court criminal charges that were disposed prior to January 1, 1984, have been destroyed. The court is unable to provide certified copies, but a letter will be issued if a conviction can be confirmed.

If the court/police service does not have a record of your convictions, make a formal request to them in writing and call the Parole Board of Canada's toll-free help line at 1-800-874-2652 for assistance.

8. Get your court information.

You will need to prove that all fines, victim surcharges, restitution, and compensation have been paid and provide the date that the final payments were made.

You will need to prove that all sentences, conditional sentences, and probation are completed and provide dates of completion.

You will need to know the method of trial (summary or indictment) to determine the waiting period and how the application is processed.

If you are missing any of these documents, you will need to take a copy of your criminal record and a Court Information Form (available at the back of the Canadian Parole Board's Record Suspension guide and application) to each court that you were tried and convicted in.

You will need a separate court information form for each court you must contact, so print more than one copy of this form before you start.

You must answer all questions in sections A & B on the first page of the Court Information Form and the Application Information section on the second page of the form. The information on page 1 and page 2 must match.

The court needs to

- complete all of the information on both sides of the form that are marked "For Court Use Only,"
- sign and date the form, and
- put their official court seal or stamp on the form.

You should request two copies of all court documents so you can keep one copy for your own records and use. You may need to provide this information for things like entering another country

If you were ordered to pay restitution to a person or entity, the court may not be able to confirm that these payments have been made. If this is your case, please call the Parole Board of Canada Help line at 1-800-874-2652 for further assistance.

You are responsible for checking the court information against your criminal record checks, and if anything is missing, you will need to get a Proof of Conviction.

You are responsible to make sure that all of your information is correct on your court information. If there is anything wrong with the information, it is easiest if you have it corrected right away.

9. Get your Military Conduct Sheet.

If you are not a current or past member of the Canadian forces this section does not apply to you, and you may move on to the next step.

If you are or if you have ever been a member of the Canadian Forces (Regular or Reserve), you must get a certified, signed, and dated copy of your Military Conduct Sheet. You must keep all of the correspondence (any written documents or emails) between you and the military to submit with your application.

Your request for your Military Conduct Sheet must include:

- the reason for your request (Record Suspension Application),
- your first and last name,

- the name that you used during the time of your service (if your name has changed since then),
- your date of birth,
- your Military Identification Number or Service Number,
- your signature, and
- enlistment and discharge dates.

If you are currently a member of the Canadian Forces, you can get your Military Conduct Sheet from your Commanding Officer. Your Military Conduct Sheet is only valid for six months from the date it was issued.

If you were a *Regular* member who left the Forces *fewer* than five years ago, you can get your Military Conduct Sheet from the Director of Military Careers Administration and Resource Management (DMCARM) by mailing your request to:

DMCARM 4
101 Colonel By Drive
Ottawa, Ontario
K1A 0K2

If you were a *Regular* member and left *more* than five years ago, you can get your Military Conduct Sheet from the Personnel Records Unit by mailing your request to:

Personnel Records Unit
National Archives of Canada
395 Wellington Street
Ottawa, Ontario
K1A 0N3

If you were a *Reserve* member who left *fewer* than three years ago, you can get your copy of your Military Conduct Sheet from your Commanding Officer of your last posting or Unit.

If you were a *Reserve* member who left *more* than three years ago, you can get your copy of your Military Conduct Sheet from the Personnel Records Unit by mailing your request to the Personnel Records Unit at the address above.

If no Conduct Sheet is available, you must provide a letter from your commanding officer.

As long as your application is submitted before the Military Conduct Sheet expires, the National Parole Board will still accept it for processing.

10. Get your proof of citizenship or immigration documents.

If you were born in Canada or you do not currently live in Canada, you do not need to do this.

If you were born outside of Canada and you are currently living in Canada, you must include a photocopy of your official and valid immigration documents with your application. Do not send original immigration documents – only send photocopies. Expired documents are not accepted. If your documents expire while the Parole Board of Canada is processing your application, you must provide an updated, valid photocopy, or your application will be delayed.

11. Get a copy of your document to support your identity.

To apply for a Record Suspension, you must submit with your application form a clear photocopy of a document that supports your identity. This must be a government-issued ID (Federal, Provincial, or Municipal) that has your name, date of birth, and signature on it.

Step 5 has a list of acceptable identification. Do not send original documents.

12. Complete your Record Suspension Application Form.

Print your answers to all of the questions on both sides of the Record Suspension Application Form clearly in blue or black ink.

The Record Suspension Application Form is only valid for six months from the date you sign it.

You must answer all questions truthfully and honestly. Hiding information or lying can result in your Record Suspension Application being denied or having your Record Suspension being revoked or cease to have effect later.

If you need more room to give all of your information, you can add extra pages to your application. You must put your name and date of birth on any additional pages you include.

Make sure you sign and date the Application Form – you may get help to fill out the form but *you* must sign it.

13. Complete the Measured Benefit/Sustained Rehabilitation Form.

You must show how a Record Suspension would help you (“Measured Benefit”). Some examples might be that you would

- get a job (or a better job),
- improve your living conditions,
- get a better education,
- better yourself, or
- have financial stability.

You must also state how a Record Suspension would help you stay as a law-abiding citizen (“Sustained Rehabilitation”) by

- allowing you to make a positive contribution to society,
- allowing you to maintain a lifestyle no longer connected with criminal behavior,
- taking responsibility for offences and sentences,
- making sure you will not reoffend,
- identifying a support system, or
- having healthy social relationships and networks.

You must describe and provide proof of all positive changes you have made to better your life since your conviction. This may include supporting documents about your

- employment,
- educational/vocational training,

- character references, or
- volunteer work.

You must print your answers clearly on both sides of the Measurable Benefit/Sustained Rehabilitation Form in blue or black ink. This form is located at the back of the Parole Board of Canada's Record Suspension Guide and Application. Include as much detail as possible, and remember to sign and date both sides of the form.

14. Photocopy all documents included in your application to keep for your records.

It is very important that you have a copy of all of your documents, including the Record Suspension Application and Measured Benefit/Sustained Rehabilitation Forms, for your records. Photocopy everything and keep it together in a safe place!

15. Mail the completed application package to the Parole Board of Canada.

Record Suspension Application Checklist

1. Original Criminal Record or Certification of No Criminal Record documents, as required (Step 6).
2. Original Local Police Record Check documents (Step 7).
3. All Proof of Conviction documents required (Step 8).
4. Original Court Information Form for each court you attended (Step 9).
5. Original Military Conduct Sheet – only if you are or have been a member of the Canadian Forces (Step 10).
6. Photocopy of proof of citizenship or immigration documents – only if you were not born in Canada (Step 11).
7. Photocopy of your identification document (Step 12).
8. Original Record Suspension Application Form (Step 13).
9. Measurable Benefit/Sustained Rehabilitation Form (Step 14).
10. \$631 application processing fee. Payment must be in Canadian funds by certified check, bank draft, or money order payable to the Receiver General for Canada

Mail your Application Form, \$631 application fee and all official documents to the Parole Board of Canada at:

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

Important

It is very important that the Parole Board of Canada can contact you directly. If they cannot contact you and/or the information you have provided is not provable, your application may not be processed. If you change your mailing address after you mail your Record Suspension Application, you must send the Parole Board of Canada a letter with your new mailing address.

Make sure the letter includes

- your full name,
- your new mailing address,
- your application Personal Reference Number, and
- your signature. It must be signed by you!

Send the letter to:

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

You must always advise the Parole Board of Canada of any change of address. This includes even after you receive a Record Suspension

16. Wait for a response from the Parole Board.

Once your complete application is submitted to the Parole Board of Canada, you will receive a letter letting you know that they have received it. This letter will have your Personal Reference Number on it, which you will need to have to submit a change of address or additional documents or ask about your application. Keep this letter in a safe place!

Wait for the final decision of the Parole Board of Canada. It can take anywhere from 6 to 24 months for the Parole Board of Canada to review and make a decision on your application for a Record Suspension once all of the correct documents are submitted.

Note that you can still be denied at this time in the application process. Each application is reviewed on an individual basis.

17. Record Suspension granted or denied.

About two to three weeks after receiving a Record Suspension, your RCMP criminal record will come back clear.

If you are denied, you must wait at least one year before reapplying. Remember that you will not get your application fee back if your application is denied.