

Did you know?

revised
December 2002

CRIMINAL PARDONS

The National Parole Board can grant pardons for convictions under federal acts or regulations of Canada. This would include offences under the Criminal Code. Once a pardon is granted, any federal agency or department must keep the records of the conviction separate. Many of the provincial and municipal law enforcement agencies will do likewise once they are notified that a pardon has been obtained.

Will foreign governments recognize a pardon?

Not necessarily. Foreign governments are not obligated to remove criminal convictions from their records. A pardon will not guarantee entry or visa privileges to another country.

Does a pardon "erase" a conviction?

No. The *Canadian Human Rights Act* says that you can't be discriminated against because of a pardoned conviction. This includes services you may need or the eligibility to work for a federal employer. Crown corporations, the federal public service, federal agencies and the Canadian Forces cannot use application forms that ask any question which would reveal a pardoned conviction.

Can a pardon be revoked?

Yes, it will automatically cease if you are convicted of an indictable (very serious) offence. The National Parole Board **may** revoke the pardon if you are later convicted of a summary offence or are considered to be "no longer of good conduct." It can also be revoked if you made a misleading or false statement when you applied.

Who can apply?

If you have been convicted of an offence under a federal act or regulation of Canada you can apply for a pardon. This applies even if you are not a Canadian citizen or resident. If you are a Canadian citizen and have been convicted in another country but returned to Canada under the *Transfer of Offenders Act*, you may also apply.

Do I need to apply for a pardon if I got a conditional or absolute discharge?

No. Discharges do not result in criminal records. If your absolute discharge occurred after July 1992, the RCMP will automatically remove that information from their computer one year after the court decision. If it was a conditional discharge, the information will be removed three years after the court decision.

When can I apply?

Three years after the sentence for a summary conviction has been completed or five years after the completion of the sentence for an indictable offence.

HOW TO APPLY

Obtain a **Pardon Application Booklet** from your **National Parole Board** or write to:

Clemency and Pardons Division

National Parole Board

340 Laurier Avenue West

Ottawa, Ont. K1A 0R1.

You can also call toll-free, 1-800-874-2652

The booklet will explain the steps you need to make to complete your application. A lawyer is not necessary. Note that there is a nonrefundable fee of \$50.