

National Parole Board Pardon Application Guide

Step-by-Step Instructions And Application Forms

NEED HELP?

Contact the National Parole Board Toll-free Helpline at:
1-800-874-2652 or visit www.npb-cnlc.gc.ca/pardons

Did You Know?
**You Can Apply Directly to the
National Parole Board
for a Pardon**

All you need to do is follow the simple step-by-step instructions in this Guide and pay the Application Processing Fee of \$50.00 (CDN) (Certified cheque, bank draft or money order, payable to the Receiver General for Canada).

You do not need a lawyer or representative to apply for a pardon.

This will not speed up the processing of your pardon application or guarantee that you receive a pardon.

The National Parole Board treats all pardon applications the same.

WARNING:

You must answer all questions truthfully and completely. Concealing information or making false or deceptive statements will result in your pardon application being denied or your pardon being revoked or ceasing to have effect at a later date.

**ORIGINAL DOCUMENTS ONLY.
PHOTOCOPIES NOT ACCEPTED***

(*only photocopies of immigration documents and identification documents will be accepted)

Pardon Applications must include only original documents with original signatures and original office seals or stamps from the courts and police, or your application will be returned to you. Forms that have been tampered with will also be returned.

IMPORTANT! Before using this guide...

This Guide includes instructions and all the forms you need to apply for a pardon. Before you mail your pardon application, photocopy all of your forms and official documents to keep for your own future reference. Your pardon application must include only original documents with original signatures and original office seals or stamps, or it will be returned to you. Please note that you are responsible for any additional fees required as part of your application, such as fingerprints, criminal record, court documents and police checks.

Before you get started, read the following questions and answers to make sure you qualify for or need to apply for a pardon, and to find out what a pardon will and will not do for you.

WHAT is the role of the National Parole Board in the pardon process?	The National Parole Board (NPB) is the official and only federal agency responsible for making pardon decisions under the <i>Criminal Records Act</i> (CRA). Under the CRA, the NPB can grant, deny and revoke a pardon.
WHO can apply for a pardon?	You can apply for a pardon if you: <ul style="list-style-type: none"> ➤ were convicted as an adult of a criminal offence (s) in Canada, or of an offence under a federal act or regulation of Canada ➤ were convicted of a crime in another country and were transferred to Canada under the <i>Transfer of Offenders Act</i> or <i>International Transfer of Offenders Act</i> Non-Canadian citizens are not eligible unless they were convicted of a crime in Canada.
WHEN can you apply for a pardon?	You can only apply for a pardon after you have completed all of your sentences AND after a waiting period. You have completed all your sentences if you have: <ul style="list-style-type: none"> ➤ paid all fines, surcharges, costs, restitution and compensation orders ➤ served all sentences of imprisonment, conditional sentences, including parole or statutory release ➤ completed your probation order After completing all of your sentences, you must have completed a waiting period: <ul style="list-style-type: none"> ➤ 3 years for a summary conviction under the <i>Criminal Code</i> (other than an offence listed in schedule 1 of the C.R.A or other federal act or regulation, ➤ 5 years for an indictable conviction (other than an offence listed in schedule 1 of the C.R.A). ➤ 5 years for a summary conviction for an offence listed schedule 1 of the C.R.A (sexual offence involving a child) ➤ 10 years for a personal injury offence conviction (s.752 C.C), for which a sentence of 2 years or more was imposed ➤ 10 years for an indictable conviction of an offence referred to in schedule 1 of the C.R.A.(sexual offence involving a child) ➤ 5 or 10 years for all convictions by a Canadian offender transferred to Canada under the <i>Transfer of Offenders Act</i> or <i>International Transfer of Offenders Act</i> (10 years for sexual offences).

	<ul style="list-style-type: none"> ➤ 5 years under the <i>National Defence Act</i>, if you were fined more than \$2,000, detained or imprisoned more than 6 months, or dismissed from service. ➤ 3 years under the <i>National Defence Act</i>, for a service offence
WHAT is the effect of a pardon?	A pardon keeps a judicial record of a conviction separate and apart from other criminal records, and gives law abiding citizens an opportunity to reintegrate into society. The <i>Criminal Records Act</i> removes all information about the conviction for which you received the pardon from the Canadian Police Information Centre (CPIC). Federal agencies cannot give out information about the conviction without approval from the Minister of Public Safety Canada. A pardon removes disqualifications caused by a criminal conviction, such as the ability to contract with the federal government, or eligibility for Canadian citizenship. If you are convicted of a new offence, the information may lead to a reactivation of the record in CPIC.
WILL a pardon erase my conviction?	No. A pardon does not erase the fact that you were convicted of a crime. Your criminal record is not erased, but it is kept separate and apart from other criminal records.
DO I need a lawyer or a representative to apply for a pardon?	No. This pardon application guide includes simple step-by-step instructions on how to apply for a pardon and all the forms that you need. You can also call 1-800-874-2652 for help. Just follow the steps and mail your Pardon Application Form, \$50 (CDN) pardon application fee, and official documents. An application from a lawyer or a representative does not receive preferential treatment.
DO I need a pardon if I was a young offender?	<u>You may</u> need to apply for a pardon if you were found guilty as a young person and before the specified period of time defined in youth legislation, you were convicted as an adult. The pardon may cover both the youth and adult records. You <u>do not</u> need to apply for a pardon if you were found guilty only in a youth court or youth justice court, since your record will be destroyed or archived once all applicable time periods have elapsed under the <i>Young Offenders Act</i> or the <i>Youth Criminal Justice Act</i> .
DO I need a pardon if I received an absolute or conditional discharge?	If you have only received absolute or conditional discharges, you <u>do not</u> need to apply for a pardon. If you received an <u>absolute discharge</u> on or after July 24, 1992, the RCMP will automatically remove it from its system one year after the court decision. If you received a <u>conditional discharge</u> on or after July 24, 1992, the RCMP will automatically remove it 3 years after the court decision. If you received an absolute or conditional discharge before July 24, 1992, contact the RCMP to have the information removed (RCMP Pardon & Purge Services, P.O. Box 8885, Ottawa, ON K1G 3M8).
WILL a pardon guarantee me entry into a foreign country?	No. A pardon does not guarantee you entry or visa privileges to another country. Before you go, contact the authorities of any country you wish to visit to find out what you need to do to enter that country. U.S. and other non-Canadian citizens are not eligible for a pardon unless they were convicted of a crime in Canada.
DO I need a pardon to apply for a passport?	No. Passport Canada reviews each application on its own merit. You should contact Passport Canada directly to find out more about the specific requirements for getting a passport.

The 9 steps to apply for a pardon

If you have completed all of your sentences and it is past the waiting period (See Page 1), you can now apply for a pardon. Here are the 9 steps to follow and the pages where you can find instructions on how to do each step:

Step 1	Get your Convictions, Conditional and Absolute Discharges form (Criminal Record) from the RCMP in Ottawa and, if required your Proof of Conviction documents.	See page 6
Step 2	Get your Court Information, if required, using the form at the back of this Guide.	See page 7
Step 3	Get your Military Conduct Sheet (current and former members of the Canadian Forces only).	See page 8
Step 4	Get your Local Police Records Check(s) using the form at the back of this Guide.	See page 9
Step 5	Get your Proof of Citizenship or Immigration Documents (if born outside of Canada).	See page 10
Step 6	Get a photocopy of your document to support your identification.	See page 10
Step 7	Fill in the Pardon Application Form at the back of this Guide (answer all questions).	See page 11
Step 8	Attach the additional information required if you have been convicted of an <u>indictable</u> offence or a <u>sexual offence</u> , where you describe why you are applying for a pardon.	See page 12
Step 9	Complete the Checklist and mail your pardon application and documents with the \$50 (CND) pardon application processing fee.	See page 13

IMPORTANT: Make a photocopy of all your pardon application documents for future reference.

STEP 1 Get your Criminal Record

(Criminal Convictions, Conditional and Absolute Discharges form)

Contact your local Police Service to have your fingerprints taken on a Fingerprint Form.

IMPORTANT: The Fingerprint Form must clearly show that you are getting it to apply for a pardon.

Send the Fingerprint Form and a certified cheque, money order or bank draft for \$25.00 (CDN) payable to the Receiver General for Canada to this address:
RCMP, Civil Fingerprint Screening Service, P.O. Box 8885, Ottawa, Ontario,
K1G 3M8

For inquiries visit www.rcmp-grc.gc.ca

Wait to receive your Criminal Record (Criminal Convictions, Conditional and Absolute Discharges form) or a Certification of No Criminal Record from the RCMP. The National Parole Board will accept either one.

Check your Criminal Record carefully to make sure all of your convictions are on it. You are responsible to ensure that all of your convictions are submitted to the NPB.

If YES go to **Step 2**
on the next page

If no



If NO, you must get a Proof of Conviction for each conviction missing from your Criminal Record. Contact the court that heard your case and/or the Police Service that arrested you to get this.

The Proof of Conviction must include:

- **Date:** the date and court where you were sentenced
- **Offence:** the offence that resulted in your conviction
- **Sentence:** the sentence you received
- **Arresting Police Force**

If the Court and/or Police Service do not have a record of your conviction(s), contact the

National Parole Board **Toll-free Helpline at 1-800-874-2652 for assistance**

STEP 2 **Get your Court Information**

You may not need additional court information. However, the method of trial for each conviction (summary or indictable) is what determines eligibility (3, 5 or 10 years) as well as how the Pardon request is processed. You will also need to provide proof of payment of fines, victim surcharges, restitution, and compensation, as well as the final payment date. If you have court documents to support this information, you will not need to have the Court Form filled out.

Fill in questions 1 to 6 on the Court Information Form at the back of this Guide. Make copies of the form first in case you need to give it to more than one Court.

Contact the Court that heard your case.
If you were sentenced in more than one Court, you must contact each Court and have them fill in this form. Give each Court a photocopy of your Criminal Record and ask each Court to fill in the section on the Court Information Form called “For Court Use Only”.

IMPORTANT! Make sure that each Court:

- Fills in all information in the “For Court Use Only” section of the form
- Signs and dates the form
- Puts their official Court seal or stamp on the form
- Gives you 2 copies of all your Court documents so you have an extra copy for yourself, in case you need these in the future (example: to enter a foreign country). It’s easier to get a copy now.

Compare the information on the Court Information Form with your Criminal Record and check for the following:

- If there is a discrepancy with the information on the Court Form and Criminal Record, or if the Court has a Record of Conviction that does not appear on your Criminal Record, you must ask the Court for a Proof of Conviction. See Step 1: Proof of Conviction.

STEP 3 Get your Military Conduct Sheet **(current and former members of the Canadian Forces only)**

IF YOU ARE NOT a current or past member of the Canadian Forces, Go to STEP 4 on the next page.

IF YOU ARE a current or past member of the Canadian Forces (Regular or Reserve) you must get a certified, signed and dated copy of your Military Conduct Sheet by contacting the appropriate organization below.

REGULAR MEMBERS:

- If you left less than 5 years ago, get it from the DMCARM: DMCARM 4
101 Colonel By Drive Ottawa, Ontario
K1A 0K2
- If you left more than 5 years ago, get it from the Personnel Records Unit:
Personnel Records Unit National
Archives of Canada 395 Wellington
Street Ottawa, Ontario K1A 0N3

RESERVE MEMBERS:

- If you left less than 3 years ago, get it from your Commanding Officer of your last posting or Unit.
- If you left more than 3 years ago, get it from the Personnel Records Unit:
Personnel Records Unit National
Archives of Canada 395 Wellington
Street Ottawa, Ontario K1A 0N3

IMPORTANT!

- Include all correspondence from your Commanding Officer, National Defence or National Archives with your application.
- For current members, your Military Conduct Sheet should be certified, signed and dated by your Commanding Officer, and is only valid for 6 months from the date of issue.
- Make sure that your request for your Military Conduct sheet includes the following information:
 - ✓ Shows that the reason for the request is for a pardon application
 - ✓ Your first and last name. (If it has since changed, it must state your name at the time of the offence)
 - ✓ Your date of birth
 - ✓ Your military Identification Number or Service Number
 - ✓ Your signature

STEP 4 Get your Local Police Records Check(s)

You must get a Local Police Records Check 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).

IMPORTANT: Each Local Police Records Check is only valid for 6 months from the date it was issued.

Here is how to get a Local Police Records Check

Fill in ALL questions on the page 1 of the Local Police Records Check Form included at the back of this Guide. Photocopy it for each local Police Service that you need to contact.

Contact the local Police Service for the address where you live right now. In the past 5 years, if you have lived at addresses that are different from where you live right now, you must contact each local Police Service for each address where you lived. If you are not sure which Police Service to contact, ask the one where you live now.

If you lived or remained outside of Canada for over 3 months you still need to contact the local Police Service where you lived outside of Canada. If the Police Service outside Canada will not give you a Local Police Records Check, a signed letter from the Police Service stating that you have been of good conduct will be accepted. If it is in a foreign language, you must have it translated into English or French and submit both the original and the translated version with your application form.

Show each local Police Service your Criminal Record and ask them to fill in the section on the Local Police Records Check Form called 'For Police Use Only' on the page 2 of the form.

You will need to show 1 current piece of photograph identification and 1 other piece of identification (contact the Local Police Service in advance to find out what types of identification they will accept).

IMPORTANT!

Make sure each Police Service includes the following information on each Local Police Records Check Form or the National Parole Board will return your application to you:

- All information required in the 'For Police Use Only' section that is on the back of the form
- Signature and date by the local Police Service
- Local Police Service official seal or stamp

STEP 5 Get your Proof of Citizenship or Immigration Documents

If YOU were born IN Canada OR are NOT currently living in Canada, you do not need to get Proof of Citizenship or immigration documents. Go to STEP 6 on the next page.

If you are in Canada with no immigration status because you must obtain a pardon, then you must confirm this by providing a photocopy of an official document with your pardon application.

If you were born outside of Canada AND you are currently living in Canada, then you must include a photocopy of your official and valid immigration documents with your pardon application.

IMPORTANT!

Expired documents are not accepted

If your documents expire while the National Parole Board is processing your pardon application, you must provide an updated, valid photocopy, or your pardon application will be delayed.

DO NOT send original immigration documents, only SEND photocopies of immigration documents.

STEP 6 Get a copy of your document to support you identity

To apply for a pardon, you must submit with your application form, a photocopy of a document which supports your identity. This government issued (Federal, Provincial or Municipal) document must have your name, date of birth and signature.

NEED HELP?

Contact the National Parole Board Toll-free Helpline at:
1-800-874-2652 or visit www.npb-cnlc.gc.ca

Step 7 Fill in the Pardon Application Form

TO APPLY for a pardon you must use the Pardon Application Form at the back of this Guide. **IMPORTANT:** The Pardon Application Form is only valid for 6 months from the date you sign it.

Fill in ALL questions in the Pardon Application Form.

If you do not fill in all of the questions on both the front and the back side of the form, the National Parole Board will return the application and all documents back to you. Print in **BLOCK** letters using blue or black ink only.

If you don't have enough room to include all the requested information, please attach additional pages to the form with the information on it

Make sure to include the \$50.00 (CDN) Application Processing Fee in a certified cheque, money order or bank draft payable to the Receiver General for Canada. The National Parole Board will not accept a personal cheque. Do not send cash.

IMPORTANT!

Before you mail your pardon application make sure that you have:

- Filled in all questions on both sides of the form.
- Answered all questions truthfully and as completely as possible.
- Signed and dated the form. As the applicant, the form must be signed by you.
- Included the \$50.00 (CDN) Application Fee (payable to the Receiver General for Canada).
- Photocopied all of your pardon application documents for your own records and future reference.

If you change your address...

IMPORTANT: The National Parole Board must be able to contact you directly. If you are unable to be contacted and/or the information or documents you provide are not verifiable, your application may not be processed. If your mailing address changes after you submit your application, you must send the National Parole Board a letter with your new mailing address. Make sure the letter includes:

- Your name
- Your Pardon Application Personal Reference Number
- Your new mailing address
- Your signature. As the Applicant, the letter must be signed by you.

Send the letter to: National Parole Board, Clemency and Pardons Division
410 Laurier Avenue West, 5th Floor
Ottawa, Ontario K1A 0R1

Even after you receive a pardon, you must advise NPB of your new address.

Step 8 Attach additional information if you are applying for a pardon and have been convicted of an indictable offence or a sexual offence (summary or indictable)

(If all of your convictions were tried summarily, go to step 9. If you have been convicted of an indictable offence or a sexual offence you must submit the following information:

As per section 4.1 of the *Criminal Records Act (CRA)*, you must clearly demonstrate how receiving a pardon would provide you with a measurable benefit. You must also describe how it would sustain your rehabilitation into society as a law abiding citizen:

Clearly indicate what changes a pardon would bring to your present circumstances.

Describe all positive changes you have already made to improve your situation since your conviction, you may include supporting documents:

Information on the offence(s)

Describe the circumstances and how/why the offences were committed as well as the age of the victim if applicable.

(Please attach additional pages if required)

Name: _____

Signature: _____

Date: _____

STEP 9 Complete this Checklist before you mail your pardon application

Keep a photocopy for yourself of all documents you submit to the National Parole Board.

PARDON APPLICATION CHECKLIST:

Have you included these documents in your pardon application?

1. Original Criminal Record or Certification of No Criminal Record AND Proof of Conviction documents, as required (explained in Step 1)
2. Original Court Information Form (explained in Step 2)
3. Original Military Conduct Sheet, as required (explained in Step 3)
4. Original Local Police Records Check(s) (explained in Step 4)
5. Photocopy of Proof of Citizenship or Immigration Documents, as required (explained in Step 5)
6. Photocopy of your identification card (explained in Step 6)
7. Original pardon application form (explained in Step 7)
8. Additional information for an indictable or a sexual offence (explained in Step 8)
9. \$50 (CDN) Application Processing Fee (explained in Step 9)

Mail your Pardon Application Form, \$50.00 (CDN) pardon application fee (payable to the Receiver General for Canada), and all official documents (originals only) to the NPB at this address:

National Parole Board
Clemency and Pardons Division
410 Laurier Avenue West, 5th Floor
Ottawa, Ontario K1A 0R1

If you have any questions, call the National Parole Board Toll-free Helpline at 1-800-874-2652.

ORIGINAL DOCUMENTS ONLY PHOTOCOPIES NOT ACCEPTED

Applications must include only original documents (except for immigration documents and identification card) with original signatures and original office seals or stamps or your application will be returned to you.