

# The Ultimate **RECORD** **SUSPENSION**

**Success Strategies Guide**



**Put the past in the past and reclaim the future.**

**DEBORAH WARD**

© Canadian Legal Resource Centre Inc.

# Record Suspension Guide

## *ALARMING STATISTICS - THE LONG LASTING IMPACT OF A CRIMINAL RECORD AND ITS DEVASTATING EFFECT ON YOUR FUTURE*

**WARNING:** The Parole Board of Canada is proposing to scrap Pardons and Record Suspensions forever! **Is this true? Keep reading to find out if this is FACT or FICTION.**

**Read this report thoroughly and see what you must do immediately.**



### **What does my research reveal?**

An audit of my client files revealed the following shocking information:

- On average, our clients wait 10.3 years AFTER they are eligible to apply for a Pardon (now called a Record Suspension).
- Why do clients wait so long? Why don't they apply as soon as they are eligible?

Our survey showed that the top THREE reasons why clients procrastinate are:

- It costs too much to apply;
- They did not bother applying because a Record Suspension could not be granted fast enough to solve their immediate concerns; or
- They saw no significant benefit in getting a Record Suspension.

When they did apply and were asked if they regretted waiting for so long to apply, overwhelmingly:

**...they wished they had applied sooner**

### **Does a Record Suspension really cost too much? (Or, does inaction cost you more?)**

Studies show that without a Record Suspension, it will take you longer to get a job and when you do get a job you'll earn up to 40% less

# Wage Discrimination

- U.S. studies show that ex-offenders are between one-half to one-third as likely to be hired as non-offenders.
- Even if they do get hired, ex-offenders earn **40% less** than someone with similar experience but no record.

Source: Why Ex-Cons Make Great Entrepreneurs, Forbes, 2013

Getting a job is also not easy. Background checks are increasingly becoming the norm. By earning up to 40% less, being overlooked for promotions, and taking longer to find that next job—you'll quickly realize you can't afford to NOT get a Record Suspension.

For many, the cost of a Record Suspension (previously called a Pardon) is less than one week's wages. Not having a Record Suspension could also force you to take a job you don't want, or force you to stay in a dead-end job due to restrictions of having a criminal record.

## Business background checks are becoming commonplace

- **92%** of companies performed pre-employment background checks in 2010.
- By 2012 that number had jumped to **97%** of companies.
  - **84%** do criminal checks
  - **72%** do employment checks
  - **67%** do identity checks
  - **49%** do motor vehicle checks
  - **49%** do education checks
- And 47% do re-screens after hiring employees.



Source: Employment Screening Benchmarking Report, HireRight, 2017 HireRight Employment Screening Benchmark Report



There was a time when criminal record background checks were rarely requested. Now they are being requested for a variety of positions ranging from entry-level to senior positions.

## Criminal record? Don't bother applying according to Craigslist ads

**Long Haul Truck Drivers needed (Calgary)**  
...Must have license, some high school. Proof of NO criminal record. Driving training course \$28 to \$30 p/h for 44 hrs/wk depending on experience.  
<http://calgary.en.craigslist.ca/trp/4218646333.html>

**Bilingual Technical Support Agent (Full time French)**  
• Professional presentation  
• Good communication skills  
• Attention to detail  
• NO CRIMINAL RECORD  
• Ability to prioritize and multitask...  
<http://calgary.en.craigslist.ca/csr/4189387966.html>

**Sales position**  
Requirements include:  
• Must have sales experience with excellent communication skills.  
• Minimum of 19 years old with NO CRIMINAL RECORD.  
• High school diploma or equivalent  
<http://vancouver.en.craigslist.ca/van/sls/4248499125.html>

**Order Picker**  
As an ideal candidate you will have:  
• 1 year of experience in a warehouse environment  
• Strong attention to detail  
• RF Scanner experience  
• NO CRIMINAL RECORD  
• If you meet these qualifications, we'd be glad to hear from you.  
<http://toronto.en.craigslist.ca/mss/lab/4212575949.html>

**General labor job:**  
• Must be 18+  
• NO CRIMINAL RECORD.  
• Enjoy hands on work  
• Team player  
<http://toronto.en.craigslist.ca/tor/lab/4229870545.html>

Source: Craigslist Canada, 2013

## Is the Parole Board really scrapping Pardons & Record Suspensions?

There is misleading information circulating the internet that Record Suspensions are being scrapped. **The good news is the Parole Board is NOT scrapping Record Suspensions.** However, on February 23, 2012:

- The Parole Board changed the name from Pardon to Record Suspension;
- **Some serious offenders are now banned from applying;**
- You now have to wait longer to qualify for a Record Suspension; and
- The Parole Board fee increased from \$150 to \$631 (subsidies to the program have been cancelled, meaning your Record Suspension fees have to pay for the entire Record Suspension Process).

What is even more alarming is that **the Parole Board has been given new powers to deny a Record Suspension at their discretion** if they feel it would simply be offensive to them to give you a Record Suspension, even if you meet the eligibility requirements.

### TOUGH ON CRIME LEGISLATION

All of these new changes are because of the Federal Government's support of U.S. style "tough on crime legislation" which studies have proven DO NOT WORK (more on this to come in another report). Just ask the State of Texas...it did not work for them and they plead with the Canadian Government "DON'T DO IT!"

Why did I start out with the idea that Pardons & Record Suspensions are being scrapped? There are two reasons.

**First, I wanted you to read the consequences of NOT getting a Pardon (Record Suspension) at the earliest opportunity.** Too many of my clients procrastinate far too long before applying for a Record Suspension. Due to procrastination, they lose out on job opportunities and suffer lower wages. Some of my clients also no longer qualify for a Record Suspension or have to wait longer before they can apply.

Do you get frustrated with yourself sometimes, because you fail to take action? Inaction costs money, right?!

I had to figure out some way for you to read the alarming statistics about your financial future and alert you to the dangerous trends caused by “tough on crime legislation”. I aim to help people stop procrastinating. I’ve learned I’m not really in the Record Suspension business as much as I’m in the Overcoming Procrastination business!



**Second, rules around getting a Record Suspension continue to get tougher.** When Pardons first came out, you only had to wait 2 years after sentence completion to apply for summary offences. Over time the wait was increased to 3 years, then more recently to 5 years. As for indictable offences, the waiting period has changed from 5 years to 10 years and the most serious of offenders are now banned from applying. Rules regarding Record Suspensions, including the Parole Board’s discretionary power, could continue to get tougher due to the Federal Government’s support of “tough on crime legislation”.

**Third, the cost of Record Suspensions continues to increase!**

The recent Record Suspension fee increased from \$150 to \$631 due to the removal of all government subsidies and speculation that this is what it will cost the Parole Board to sustain the Record Suspension Department. Given my expectation that Government Programs always cost more than anticipated, I believe that we have not seen the last of the fee increases.

**A Record Suspension cannot be granted fast enough!**

Many people can’t get a Record Suspension fast enough to take advantage of a new opportunity so they put off getting the Record Suspension, thinking they’ll get it later. This is a mistake. They procrastinate indefinitely and continue to lose out on more opportunities. Money is just too tight to give up now when there are no immediate benefits, right? Wrong!

Start your Record Suspension immediately. My first goal in writing this report is to motivate people that have a tendency to procrastinate to take action immediately. My second goal is to provide some tips that will save you time and money.

**IGNORE HOW LONG IT TAKES... YOU'LL NEED IT ANYWAY.  
DON'T WAIT UNTIL YOU NEED IT TO APPLY. APPLY EARLY!**



**QUESTION: Can I get my Record Suspension granted quickly in an emergency?**

**The RCMP, most courts, and the Parole Board of Canada do NOT accept requests on an emergency basis.** It could take one to two years for your Record Suspension to be granted, depending on the length and severity of your criminal record. High-risk applications can expect to take more than two years.

**WARNING:** Companies offering expedited services are simply charging you extra to expedite the delivery of requests to and from government offices by arranging a courier. But in most cases, government offices won't rush a request once they receive it, meaning the only amount of time you are likely to save is mail vs courier service.

Recognize that most companies (NOT MINE) will charge you hundreds of dollars more just to save you a few weeks of processing time. We only charge the small courier fee ranging from \$10 to \$20 (we do NOT increase our fee to expedite your file).



## **Time & Money Saving Tips**

### **Tip #1: Start Your Application at least 4 to 8 months early**

There are at least 3 months' worth of work that can be completed before you are eligible. It could take longer than 3 months to get your file ready before eligibility if conviction(s) are missing from your RCMP record, are recorded incorrectly, or if the Court House where you were convicted is backlogged. We once had a Court that had funding and staffing issues and what would normally take 2 months to process was taking 5 months. Therefore, start your application at least 4 to 8 months in advance of eligibility. That way, your application can be completed and submitted as soon as you are eligible. **You could even start a year in advance!**

### **Tip #2: Request a FREE Consultation**

For some, this could possibly be the best tip I have to offer. Do you worry about whether the Parole Board will refuse to grant your Record Suspension in the future? You should. The Parole Board has **discretionary power** to deny your Record Suspension if you do not demonstrate that the Record Suspension will provide you with "measureable benefit" or "sustain your rehabilitation into society". Or, they can deny it if they feel it would simply be "offensive" for them to grant it.

#### **Free Consultation:**

1-800-320-2477 (Toll Free)  
403-229-2774 (Calgary)  
debbie@canadianlegal.org

For most people, it's been my experience that the Record Suspension is "automatic" and for others there are a few hoops that have to be jumped through. If you'd like to know the risk level of your application, you can always contact us for a free consultation. We can then give you tips to **improve the odds that your application will be approved** in the future.

### **Tip #3: Request a "Partial" Record Suspension NOW even if you are not eligible for several years**

Not eligible for a Record Suspension for 1, 2, 3, 5 or 9 or more years? Get a Partial Record Suspension NOW. We have clients that come to us frequently expecting to qualify for a Record Suspension, only to learn that they missed part of the fine or that **the Courts lost proof of fine payment**. This means they have to pay it and wait 5 or 10 more years, depending on whether their conviction(s) were summary or indictable! Good luck trying to convince the Parole Board that failure to pay was an accident! It is not an easy thing to do.

It is also not always clear as to exactly when you are eligible merely by looking at your RCMP criminal record. Often court documents are required to determine eligibility. Police reports will also help us identify convictions which might be missing from the National RCMP database. There may be outstanding charges or arrest warrants you might not know about, or incidents not resulting in convictions which the Parole Board may use to discriminate against you when deciding whether to grant your Record Suspension.

Therefore, you can request a **"Partial Record Suspension"** which allows us to:

- **Determine your exact eligibility date;**
- **Confirm there are no outstanding fines or arrest warrants;**
- **Fix errors; and**
- **Identify and address areas of concern which might jeopardize the granting of your application.**

Some people have outstanding arrest warrants due to speeding tickets, unpaid fines, or outstanding criminal charges in a Province they previously lived or visited that they may not know about. Often warrants for arrest are not enforceable outside the Province of issue. Some never find out these warrants exist unless they apply for a Record Suspension or they get a new speeding ticket (provided the police officer alerts them to the outstanding warrant in another Province).

We once had a client whose identity was stolen. By the time we found out about it, it took over a year to prove that the pending charges the other person was facing was not my client! It was not my client's fault this happened. But, it delayed his file by over a year.

The cost of a Partial Record Suspension will be applied toward the cost of a full Record Suspension when you are eligible. FURTHER, our consultation under Tip #2 can only be general. But, if you proceed with a Partial Record Suspension as recommended under Tip #3, we can be more specific because we will have had an opportunity to review your case in greater detail.

### **What are the benefits of Getting a Record Suspension?**

I've already provided you with statistical evidence showing that not having a Record Suspension will affect your income, promotions, and the speed at which you are able to obtain a new job. I've also demonstrated that most of my clients that delayed in obtaining a Record Suspension seriously regret not having applied earlier.

Even if you work in an industry where most employers don't care if you have a criminal record, do you still want them to know your personal business? If an employer were to hire two people with identical skills and knowledge, but only one had a criminal record, statistically, the one with a criminal record would be offered a lower starting wage. The one with a criminal record would also statistically get promoted less frequently.

### **Why should I apply for a Record Suspension?**

A Record Suspension is proof that a criminal record should no longer reflect upon your character—it reduces the risk of discrimination involving:

- Adoption
- Bonding
- Certification
- Commissioner for Oaths Appointment
- Driving (reduce the risk of greater scrutiny from random road-side police checks)
- Employment – Current (i.e. job promotion, new owners, new company policy regarding screening, downsizing)
- Employment – Travel (i.e. work visa abroad)
- New Employment
- Educational Program (enrollment and completion of a required practicum)
- Fostering
- Immigration to Canada – Landed Immigrant or Permanent Residency
- Immigration to Canada – Canadian Citizenship
- Immigration to a Foreign Country
- Legal Name change
- Licensing
- Notary Public Appointment
- Obtaining a Liquor Licence
- Owning a Care Facility (Child Care, Elderly Care, or Dependent Adult Care)
- Peace of Mind
- Purchasing a Franchise
- Rental Agreements
- Sitting on a Board of Directors
- Temporary Work or Study Visa (Canada)
- Temporary Work or Study Visa (Foreign)
- Travel
- Visiting Canada (for non-Canadians with Canadian criminal records)
- Volunteering
- Wandering eyes—non-pardoned court records are accessible by the public



## How to Find a Reputable Company to Help You with Your Record Suspension (or United States Waiver)



Do NOT hire a company unless you first check their reputation. Check out the following:

- What is their reputation with the Better Business Bureau?
- Are they recipients of any awards (ie. Consumer Choice Awards?)
- How long have they been in business?
- Are they RCMP Accredited and Certified?
- Do you get a live voice when you call?
- Do owners and senior members of the company publish their names on their website, or are their names a secret?
- Go to <https://archive.org> and run their website. Who is their website registered to? Is it registered to someone in Canada or out-of-country? How long has the website been around for? There are occasional fly-by-night companies—so you definitely need to find an established company.
- Of course, run the company name on the internet and check for complaints.

### About Us – The Canadian Legal Resource Centre Inc.

- Consumer Choice Award Winner for Business Excellence in the Category of Paralegal Services for 14 years in a row. <http://bit.ly/WBpvn3>
- A+ Reputation with the Better Business Bureau. <http://go.bbb.org/1iva0hi>
- In business since 1995.
- We have processed thousands of Pardons, Record Suspensions and Waivers.
- Live voice every time you call.
- We don't increase our fee to provide expedited services. Your file will always be handled quickly and efficiently. If you wish any requests to be ordered via courier service, you only pay for the small cost of courier services.
- We do NOT mark up our disbursements.
- Payment plans are available.
- We accept all major forms of credit card and online payment methods (such as Paypal).



# CANADA'S #1 RECORD SUSPENSION TEAM



Staff at Canadian Legal Resource Centre Inc. From left to right: Jacqueline James, Vini Rocha, Breanna Guenard, Terrence Ward, Candy Johnston, Chrissy Fontaine, Deborah Ward, Susan Ward, Ella Pontiano

## FREE CONSULTATION

- ☒ When am I eligible?
- ☒ What is the process?
- ☒ What will it cost?
- ☒ What are my chances of success?
- ☒ Can I go to the U.S. with my criminal record?

**\$75  
Value**

## Canadian Legal Resource Centre Inc.

#204, 4014 Macleod Trail SE, Calgary, AB T2G 2R7

Phone: **403-229-2774** Email: [debbie@canadianlegal.org](mailto:debbie@canadianlegal.org)

Web: [www.canadianlegal.org](http://www.canadianlegal.org)

**Open:** Mon to Fri 8am to 5pm • Sat 9am to 4pm • MST • Occasional Evenings



### RCMP Accredited Agency

- Ink & Roll Fingerprinting
- Digital Fingerprinting
- 48 Hr Background Check

