

19 February 2020

The Honourable Bill Blair, PC, MP
Minister of Public Safety and Emergency Preparedness
House of Commons
Ottawa ON K1A 0A6
Bill.Blair@parl.gc.ca

Open Letter: Amending the Criminal Records Act

Dear Minister,

We applaud your government's legislation to waive both the fee and the wait period for Canadians who have a criminal record for simple possession of cannabis through Bill C-93, *An Act to provide no-cost, expedited record suspensions for simple possession of cannabis*, which came into force on August 1, 2019.

The recognition that the stigma and burden of those records are a significant barrier to employment, education, housing, travel, parenting and volunteering is a major step forward to reform the *Criminal Records Act* (CRA) and to improve the lives of thousands of people across the country, many of whom are disproportionately criminalized because of their race or culture.

With 95% of over 500,000 individuals remaining crime-free in the community after obtaining a pardon or record suspension in the last 50 years, the Parole Board of Canada's (PBC) Record Suspension Program continues to demonstrate remarkable success. However, since 2010, when considerable changes to the CRA began, we have seen a decline in applications, reduced value of the process and widespread support to improve the Program *further still*.

The PBC's most recent notice that it must adhere to the *Service Fees Act* by increasing the application fee each year based on the Consumer Price Index compels us to continue pursuing significant reforms to the CRA, like so many other individuals and groups who have given time, knowledge and input over the last decade.

In 2008, representatives from national organizations working in criminal justice took part in consultations with the then National Parole Board (NPB) to consider the NPB's proposal to increase the Pardons Application User Fee from \$50 to \$135. Shortly thereafter, the fee was set to \$150 on a partial-cost recovery basis, which took into account the limited income of potential applicants.

Again in 2010 and 2011, national voluntary organizations (NVOs) took part in consultations with the PBC, Public Safety Canada (PS), and/or appeared before Parliamentary Committees to speak to Bills C-23A and C-23B. While the PBC's online consultation garnered 1,086 responses, only 12 (or 1%) individuals or groups were in favour of the proposed changes that would eventually raise the fee **over 320%** from \$150 to \$631 – and now on a full cost-recovery basis.

Further changes came into force through the “omnibus crime Bill C-10” in 2012, despite similar consultations, representations and submissions from our national organizations and others.

Following the 2015 federal election, the Prime Minister mandated the Ministers of Justice and Public Safety to review and reform the criminal justice system, which led to further consultations,

both online and in person with the PBC and PS in 2016. Key partners and stakeholders within the criminal justice system were very clear that indeed “real change” was needed, particularly for Indigenous peoples. PS Canada’s own consultation report indicated that “nearly nine in ten participants (86%) say there are crimes for which a criminal record should be completely wiped off the record.”

Finally, in the 2018 report on Provincial and Territorial consultations as part of the ‘Criminal Justice System Review’, the Department of Justice recognized that application fees were out of reach for many people, and that “a [criminal] record can even tip the balance in a person’s life towards ongoing criminal behaviour.”

Yet we still have not seen meaningful change. We can and must do more to positively impact many of the 3.5 million Canadians who have a criminal record today. By automatically expiring certain records, these prohibitive fees are eliminated and individuals are more likely to get a job, remain law-abiding, and contribute to Canada’s high-demand trades and the economy. Doing so will also increase social inclusion and allow law-abiding individuals to be more engaged with their families and communities.

Removing the barriers to employment, education, housing, travel, parenting and volunteering must not be limited to simple possession of cannabis offences. As such, we urge you to support Senator Pate’s Senate Bill S-214 to amend the *Criminal Records Act*, in order to truly bring about real change for so many citizens who continue to be punished and discriminated against so needlessly.

Sincerely,

Allen Benson
Chief Executive Officer
Native Counselling Services of Alberta

Vicki Chartrand
Centre for Justice Exchange

Emilie Coyle
Executive Director
Canadian Association of Elizabeth Fry Societies

Anita Desai
Executive Director
St. Leonard’s Society of Canada

Carol Finlay
Founder
Book Clubs for Inmates

Duncan Gillespie
Executive Director
CTI Canadian Training Institute

David Henry
Executive Director
Association des services de réhabilitation sociale du Québec (ASRSQ)

Catherine Latimer
Executive Director
John Howard Society of Canada

George Myette
Executive Director
Seventh Step Society of Canada

Fred Phelps
Executive Director
Canadian Association of Social Workers

Lana Robinson
Clerk
Canadian Friends Service Committee (Quakers)

Cc Gary Anandasangaree, MP
Parliamentary Secretary to the Minister of Crown-Indigenous Relations
Gary.Anand@parl.gc.ca

Charlie Angus, MP
charlie.angus@parl.gc.ca

Larry Bagnell, MP
Parliamentary Secretary to the Minister of Economic Development
Larry.Bagnell@parl.gc.ca

Hon. Navdeep Bains, PC, MP
Minister of Minister of Innovation, Science and Industry
Navdeep.Bains@parl.gc.ca

Hon. Carolyn Bennet, PC, MP
Minister of Crown-Indigenous Relations
carolyn.bennett@parl.gc.ca

Hon. Candice Bergen, MP
House Leader of the Official Opposition
candice.bergen@parl.gc.ca

Rachel Blaney, MP
Whip of the New Democratic Party
Rachel.Blaney@parl.gc.ca

Kody Blois, MP
Kody.Blois@parl.gc.ca

Richard Bragdon, MP
Richard.Bragdon@parl.gc.ca

Hon. Bardash Chagger
Minister of Diversity and Inclusion and Youth
Bardish.Chagger@parl.gc.ca

Beth Champoux
Director, Crime Prevention & Aboriginal Community Safety, Public Safety Canada
elizabeth.champoux@canada.ca

Daryl Churney
Executive Director, Parole Board of Canada
Daryl.Churney@pbc-clcc.gc.ca

Don Davies, MP
don.davies@parl.gc.ca

Claude DeBellefeuille, MP
Whip of the Bloc Québécois
Claude.DeBellefeuille@parl.gc.ca

Hon. Wayne Easter, MP
Chair, Standing Committee on Finance
wayne.easter@parl.gc.ca

Nathaniel Erskine-Smith, MP
Nathaniel.Erskine-Smith@parl.gc.ca

Hon. Mona Fortier, PC, MP
Minister of Middle Class Prosperity
Mona.Fortier@parl.gc.ca

The Honourable Raymonde Gagné, Senator,
Legislative Deputy to the Government Representative in the Senate
Raymonde.Gagne@sen.parl.gc.ca

Garnett Genuis, MP
Garnett.Genuis@parl.gc.ca

The Honourable Marc Gold, Senator, PC
Government Representative in the Senate
marc.gold@sen.parl.gc.ca

Hon. Mark Holland, PC, MP
Chief Government Whip
Mark.Holland@parl.gc.ca

Anthony Housefather, MP
Parliamentary Secretary to the Minister of Labour
Anthony.Housefather@parl.gc.ca

Hon. Ahmed Hussen, PC, MP
Minister of Families, Children and Social Development
Anthony.Housefather@parl.gc.ca

Hon. Mélanie Joly, PC, MP
Minister of Economic Development
Melanie.Joly@parl.gc.ca

Peter Julian, MP
House Leader of the New Democratic Party
peter.julian@parl.gc.ca

The Honourable Patti Laboucane-Benson, Senator
Government Liaison in the Senate
Patti.LaBoucane-Benson@sen.parl.gc.ca

Hon. David Lametti, PC, MP
Minister of Justice and Attorney General of Canada
David.Lametti@parl.gc.ca

Kevin Lamoureux, MP
Leader of the Government in the House of Commons
kevin.lamoureux@parl.gc.ca

Wayne Long, MP
Wayne.Long@parl.gc.ca

Hon. Lawrence MacAulay, MP
lawrence.macaulay@parl.gc.ca

Elizabeth May, MP
Elizabeth.May@parl.gc.ca

Hon. Catherine McKenna, PC, MP
Minister of Infrastructure and Communities
Catherine.McKenna@parl.gc.ca

Members, *Standing Committee on Human Resources, Skills and Social Development and the Status of Persons with Disabilities*
HUMA@parl.gc.ca

Dan Albas, MP
Dan.Albas@parl.gc.ca

Sean Casey, MP
Sean.Casey@parl.gc.ca

Louise Chabot, MP
Louise.Chabot@parl.gc.ca

Han Dong, MP
Han.Dong@parl.gc.ca

Rosemarie Falk, MP
Rosemarie.Falk@parl.gc.ca

Leah Gazan, MP
Leah.Gazan@parl.gc.ca

Stephanie Kusie, MP
Stephanie.Kusie@parl.gc.ca

Wayne Long, MP
Wayne.Long@parl.gc.ca

Ryan Turnbull, MP
Ryan.Turnbull@parl.gc.ca

Adam Vaughan, MP
Parliamentary Secretary to the Minister of Families, Children and Social Development (Housing)
Adam.Vaughan@parl.gc.ca

Brad Vis, MP
Brad.Vis@parl.gc.ca

Kate Young, MP
Parliamentary Secretary to the Minister of Economic Development and Official Languages
Kate.Young@parl.gc.ca

Members, House of Commons *Standing Committee on Justice and Human Rights*
JUST@parl.gc.ca

Rhéal Fortin, MP
Rheal.Fortin@parl.gc.ca

Randall Garrison, MP
Randall.Garrison@parl.gc.ca

Mike Kelloway, MP
Mike.Kelloway@parl.gc.ca

Chair, Iqra Khalid, MP
Iqra.Khalid@parl.gc.ca

Philip Lawrence, MP
Philip.Lawrence@parl.gc.ca

Larry Macguire, MP
Larry.Maguire@parl.gc.ca

James Maloney, MP
James.Maloney@parl.gc.ca

Greg McLean, MP
greg.mclean@parl.gc.ca

Hon. Rob Moore, MP
Rob.Moore@parl.gc.ca

Ramesh Sangha, MP
Ramesh.Sangha@parl.gc.ca

Arif Virani, MP
Parliamentary Secretary to the Minister of Justice & Attorney General of Canada
Arif.Virani@parl.gc.ca

Sameer Zuberi, MP
Sameer.Zuberi@parl.gc.ca

Members, House of Commons *Standing Committee on Public Safety and National Security*
SECU@parl.gc.ca

Marc Dalton, MP
Marc.Dalton@parl.gc.ca

Pam Damoff, MP
Parliamentary Secretary to the Minister of Indigenous Services
Pam.Damoff@parl.gc.ca

Jack Harris, MP
Jack.Harris@parl.gc.ca

Angelo Iacono, MP
Angelo.Iacono@parl.gc.ca

Kamal Khera, MP
Kamal.Khera@parl.gc.ca

Joël Lightbound, MP
Parliamentary Secretary to the Minister of Public Safety
Joel.Lightbound@parl.gc.ca

Hon. John McKay, MP

john.mckay@parl.gc.ca

Kristina Michaud, MP

Kristina.Michaud@parl.gc.ca

Rob Morrison, MP

Rob.Morrison@parl.gc.ca

Pierre Paul-Hus, MP

Pierre.Paul-Hus@parl.gc.ca

Doug Shipley, MP

Doug.Shipley@parl.gc.ca

Gagan Sikand, MP

Gagan.Sikand@parl.gc.ca

Members, *Standing Senate Committee on Human Rights*

RIDR@sen.parl.gc.ca

Members, *Standing Senate Committee on Legal and Constitutional Affairs*

L.C.J.C@sen.parl.gc.ca

Hon. Marc Miller, PC, MP

Minister of Indigenous Services

Marc.Miller@parl.gc.ca

Jennifer Oades, Chairperson, Parole Board of Canada

Jennifer.Oades@PBC-CLCC.GC.CA

The Honourable Kim Pate, Senator, CM

Kim.Pate@sen.parl.gc.ca

The Honourable Chantal Petitclerc, Senator

Chantal.Petitclerc@sen.parl.gc.ca

Hon. Carla Qualtrough, PC, MP

Minister of Employment, Workforce Development and Disability Inclusion

Carla.Qualtrough@parl.gc.ca

Scott Reid, MP

scott.reid@parl.gc.ca

Judy Sgro, MP

judy.sgro@parl.gc.ca

Mark Strahl, MP

Chief Opposition Whip

Mark.Strahl@parl.gc.ca

Hon. Filomena Tassi, PC, MP

Minister of Labour

Filomena.Tassi@parl.gc.ca

Alain Therrien, MP
House Leader of the Bloc Québécois
Alain.Therrien@parl.gc.ca

Julie Thompson, Director General, Corrections & Criminal Justice Directorate, Public
Safety Canada
julie.thompson3@canada.ca

Hon. Jody Wilson-Raybould, MP
Jody.Wilson-Raybould@parl.gc.ca