



Statement of Senators Wanda Thomas Bernard, Josée Forest-Niesing and Kim Pate

Bill C-31 on Criminal Record Relief Offers Too Little, Too Late

OTTAWA, THURSDAY, JUNE 10, 2021— While a most welcome step in the right direction, Bill C-31 may be too little, too late for Canadians who have waited eleven years since the introduction of restrictions on record relief for vital assistance in moving on from the burden of a criminal record. Introduced only a few days before Parliament’s planned summer recess, it is unclear how the government plans to ensure that the measures in Bill C-31 will be implemented.

As highlighted by the Minister of Public Safety, applications for record relief have decreased by 57% over the past decade as a result of punitively expensive fees, excessive wait times and bureaucratic complexity. Poor people, Indigenous, Black and other racialized people are overrepresented among those who have served their sentences and been held accountable but whose records continue to perpetuate systemic inequality by creating barriers to employment, housing, school, volunteering and other vital supports as they work to contribute positively to their communities.

Since application fee reductions do not require legislative change, it is concerning that no additional details have yet been revealed and the government has not clarified a timeline for these changes. Given the significant and discriminatory barrier that any fee represents for those struggling on current wholly inadequate income assistance schemes, it is worrying that the government has not chosen to eliminate the fees for those on social assistance.

Similarly, the announcement that record expiration will be the subject of consultations signals a significant stall in any such implementation. An obvious question that arises is, Why not proceed immediately with such a vital measure rather than retread this ground? Public Safety Canada and the House Public Safety Committee have already conducted consultations, studied this and concluded that automated record expiry is a good idea.

Given the significant barriers associated with applications for record relief exposed by the current system and recent experiences with cannabis record suspensions, in order to make communities safer and more just for all it is vital that systems for automated expiry be prioritized to ensure that individuals can move on from criminal records and contribute to their families and communities.

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