

What is expungement?

The *Expungement of Historically Unjust Convictions Act* (*Expungement Act*) allows for the destruction or permanent removal of judicial records of **historically unjust convictions** that would be lawful today.

When an expungement is ordered, the person convicted of the offence is deemed never to have been convicted of that offence.

Who can order the expungement of a conviction in Canada?

The Parole Board of Canada (PBC) is the official and only federal agency in Canada responsible for ordering or refusing to order the expungement of a conviction.

Who can apply?

Persons convicted of an offence listed in the [Schedule to the Expungement Act](#) may be eligible to submit an application to the PBC to have the judicial record of their conviction expunged.

If the person is deceased, an appropriate representative (e.g., a family member, trustee or common-law partner) can apply for a posthumous expungement on their behalf.

What convictions are eligible for expungement?

Historically unjust convictions that would be lawful today are eligible for expungement.

The list includes the following:

- consensual sexual activity between same-sex partners (i.e., gross indecency, buggery and anal intercourse);
- bawdy houses (keeping, being found in, transporting to, or permitting a place to be used as);
- indecent show, acts, or exhibition, immoral theatrical performance or nudity, which took place in a bawdy house; and
- individuals convicted for obtaining an abortion, medical practitioners convicted for providing voluntary abortions and others who assisted individuals in accessing abortion services.

A complete list of offences can be found in the [Schedule to the Expungement Act](#) on the Justice Canada website.

How can I apply?

For additional information on the eligibility criteria, step-by-step instructions on how to apply, and the official Application Guide and form, visit [Canada.ca/expungement](#).

For questions or assistance, contact the PBC at:

- 1-800-874-2652 (toll-free), Monday to Friday, from 8:00 a.m. to 6:00 p.m. (EST)
- expungement-radiation@pbc-clcc.gc.ca.

[Canada.ca/expungement](#)

How much does it cost to apply?

There is **no processing fee** to apply for an expungement order.

However, applicants are responsible for the cost of getting documents needed for their application (e.g., court and/or police documents, sworn statements/solemn declarations, etc.)

Are members of the Canadian Armed Forces eligible for expungement?

Yes. Members of the Canadian Armed Forces convicted under the *National Defence Act* of offences listed under the *Expungement Act* are eligible to have their record expunged.

Does a person need to use a lawyer or for-profit third-party company to apply?

No. A person can **apply directly to the PBC** for expungement. Individuals do not need to apply through a third-party company or a lawyer and this will not guarantee a person an expungement, fast-track its review or give it a special status. The PBC treats all applications the same.

For more information:



Canada.ca/expungement



1-800-874-2652 (toll-free)



expungement-radiation@pbc-clcc.gc.ca