

STATE OF AWARENESS

# CANNABIS BILL C-93

 **is now legal.**  
**So why do criminal  
records still exist?**



 **canniknow**

*cannabis*  *amnesty*

A key motivation for cannabis legalization in jurisdictions around the world has been the recognition of the harms caused to people by criminalizing them for cannabis possession.

A criminal conviction in Canada, with no suspensions will last up to 80 years before being struck from the record as standard. A large body of research has identified a range of negative consequences that stem from criminalization, including, lower educational and training opportunities, reduced employment and volunteering prospects, the denial of equal access to housing, state benefits, parental rights and restrictions on international travel – in sum limitations on full participation in social, political and economic life.

Through the introduction of Bill C-93 an Act to provide no-cost, expedited record suspensions for simple possession of cannabis, the Canadian government has made an effort to reduce the burden of a criminal record placed on people convicted of historical cannabis possession offences.

People eligible for a record suspension under the program can apply for an expedited suspension. Bill C-93 waives the \$631 application fee and the ten year waiting period, but people will still be required to pay to obtain the documents needed to complete their application.



## **But how many Canadians know about this bill and what do they think of it about ?**

It appears that too few Canadians know about this change to the law and that the uptake of the cannabis record suspension scheme has been low.

As of August 2020, according to figures provided by the Parole Board of Canada (PBC), only 428 applicants to the cannabis record suspension program had been received, and just 257 of those had been approved this is despite the fact that the Canadian government estimates that as many as 10,000 Canadians may be eligible for a record suspension under their program.

RCU - Responsible Cannabis Use, who operates the cannabis education platform [canniknow.com](https://canniknow.com) has partnered with Cannabis Amnesty in a Canada-wide survey to educate Canadians on Bill C-93.

**Below are some of the highlights.**



## QUIZ HIGHLIGHTS

### IMPACT ON CANADIAN CITIZENS

**65%**

of the participants don't know how many Canadians have a criminal record fro minor possession. When in fact there are approximately 10,000 Canadians affected.

### AWARENESS OF THE BILL

**79%**

of the participants don't know that the government is allowing for record suspensions.

### AWARENESS OF ELIGIBILITY REQUIREMENTS

**93%**

of the participants don't know the eligibility requirements for C-93.

### EXPUNDGMENT VS SUSPENSION

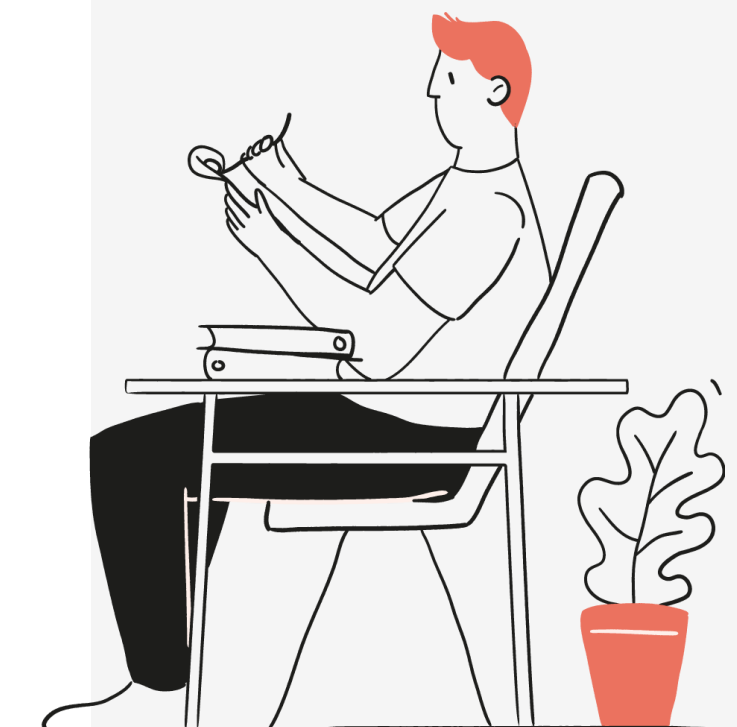
**51 %**

of participants believe it should be an expungement vs a record suspension.

The convenience survey was conducted in May 2020 for 11 days across Canada generating 418,812 social media impressions. 852 Canadians participated generating 6,464 educational touch points. The participation levels were lower then expected as it was released during the heigh of COVID-19 where all media attention was focused.

The results of the survey demonstrate a need for broad public engagement about cannabis record suspensions. As we have shown, almost 80% of the respondents to our survey did not know that the government is allowing for cannabis record suspensions and over 90% do not know the eligibility requirements under the program.

In order to improve the life chances of people convicted of historical cannabis crimes and to ensure the success of the cannabis record suspension program, we encourage the government to initiate a public awareness and education campaigns like these and to assist those in need and those eligible through the process of applying for their suspension.



## ACTION ITEMS

### INCREASE AWARENESS



The survey shows that 80% of the respondents to our survey did not know that the government is allowing for cannabis record suspensions which is reflected in the low number of applications submitted to the Parole Board of Canada. More educational and awareness campaigns are required.

### REDUCE BARRIERS TO ACCESSING RECORD SUSPENSIONS



Unlike similar legislation in other jurisdictions, Bill C-93 does not provide for the automatic suspension of records but requires an a 12 step application which contributes to the low numbers. Streamlining the process can play a role in reducing barriers for Canadians accessing record suspensions.

### CONSIDER MOVING TO EXPUNGMENT VS SUSPENSION



When a record is suspended, it is set aside and does not appear in most criminal record checks. It does continue to exist though, and can be accessed by certain government agencies. When a record is expunged it is permanently destroyed, and for most purposes, can be treated as if it never existed.



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