



August 31, 2020

Via email: john.a.lee@ontario.ca

John Lee
President, Uniform Law Conference of Canada
c/o Ontario Ministry of the Attorney General – Policy Division
720 Bay Street, 7th Floor
Toronto, ON M7A 2S9

Dear Mr. Lee:

Re: Uniform Police Record Checks Act

I write on behalf of the Canadian Bar Association to share the CBA's support for the *Uniform Police Record Checks Act* (UPRCA).

The CBA is a national association of 36,000 lawyers, notaries, law teachers and law students with a mandate to protect the rule of law, promote access to justice and equality, and seek improvements to the law and the administration of justice. The CBA includes lawyers specializing in the areas of criminal law from all parts of Canada.

The UPRCA was initiated through the CBA's participation in the Uniform Law Conference of Canada. This model legislation addresses the ongoing need for uniformity in police record check practices across the country. It also calls for important disclosure limitations to be placed on non-conviction records issuing from such checks.

In the CBA's view, the UPRCA is critical legislation that should be seriously considered by all governments in Canada. It is now well-established that disclosure of non-conviction information has harmful effects, particularly on those from marginalized communities who disproportionately interact with the police. The unnecessary disclosure of non-conviction information can create huge subsequent barriers to employment, housing, government benefits and other important aspects of day-to-day life. The UPRCA will directly address these concerns.

I am attaching a resolution adopted by the CBA in 2019, *Disclosure of Non-Conviction Records*, urging federal, provincial and territorial governments to adopt or amend legislation and policies to limit disclosure of non-conviction information in law enforcement databases. The resolution also called for procedural fairness through a mechanism to review and address errors or immaterial

information in those databases. The UPRCA achieves many of these objectives, while still properly balancing the need for public safety.

Thank you for taking the time to consider this letter. I wish the ULCC every success in your efforts to have this important legislation implemented across the country. Should you require any further information about the CBA's law reform efforts in this area, or should you have any questions, please do not hesitate to contact Tony Paisana, Vice Chair of the CBA Criminal Justice Section.

Yours truly,

A handwritten signature in black ink, appearing to read 'VSR', with a long horizontal flourish extending to the right.

Vivene Salmon

cc. Russell J. Getz, Chair, ULCC Implementation Committee, russell.getz@gov.bc.ca
Caroline Quesnel, ULCC Criminal Section Chair, caroline.quesnel@justice.gc.ca
Tony Paisana, CBA Criminal Justice Section, tpaisana@peckandcompany.ca

Encl.