

Parole Board of Canada
Fees Report
Fiscal year 2021–22

The Honourable Marco E. L. Mendicino, P.C., M.P.
Minister of Public Safety

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Chairperson's Message

I am pleased to present the Parole Board of Canada's (PBC) report on fees for 2021-22.

The *Service Fees Act* provides a modern legislative framework that enables cost-effective delivery of services and through better reporting to Parliament, improves transparency and oversight.

Similar to last year's report, this year's report provides details on each fee under the organization's authority, the service standard and the performance result. This information provides additional context on each fee, in the spirit of open and transparent fee management.

On April 1, 2021, the PBC introduced its Remission Policy. This report will also address remissions issued by the PBC under this policy.

In addition, the Minister of Public Safety announced that effective January 1, 2022, the record suspension application fee would be \$50.00. The previous higher fee of \$657.77 represented a significant barrier for individuals with a criminal record wanting to apply for a record suspension. By lowering the application fee, access to record suspensions has increased for a greater number of individuals, which facilitates access to employment, housing, education and other necessities that support sustained reintegration. Additionally, it is expected that this reduction in the fee will help alleviate pre-existing barriers for those disproportionately affected by the criminal justice system.

I appreciate the increased transparency and oversight that the *Service Fees Act* reporting regime embodies. The PBC is committed to following the framework that reflects these requirements.

Jennifer Oades
Chairperson, Parole Board of Canada

About this report

This report, which is tabled under section 20 of the *Service Fees Act*,ⁱⁱ the *Low-Materiality Fees Regulations*,ⁱⁱⁱ and subsection 4.2.8 of the Treasury Board *Directive on Charging and Special Financial Authorities*,^{iv} contains information about the fees the *Parole Board of Canada (PBC)*^v had the authority to set in fiscal year 2021–22.¹

The report covers fees that are subject to the *Service Fees Act*.

For reporting purposes, fees are categorized by a fee-setting mechanism. There are three mechanisms:

1. Act, regulation or fees notice
 - The authority to set these fees is delegated to a department, minister or Governor in Council pursuant to an act of Parliament.
2. Contract
 - Ministers have the authority to enter into contracts, which are usually negotiated between the minister and an individual or organization, and which cover fees and other terms and conditions. In some cases, that authority may also be provided by an act of Parliament.
3. Market rate or auction
 - The authority to set these fees is pursuant to an act of Parliament or a regulation, and the minister, department or Governor in Council has no control over the fee amount.

For fees set by act, regulation or fees notice, the report provides totals for fee groupings, as well as detailed information for each fee. The PBC did not have fees set by contract, market rate or auction.

Although the fees the PBC charges under the *Access to Information Act*^{vi} were subject to the *Service Fees Act*, they are not included in this report. Information on PBC's access to information fees for 2021–22 is in our annual report to Parliament on the administration of the *Access to Information Act*, which is posted on our Web page: [Access to Information and Privacy](#).^{vii}

¹ All years presented in this manner refer to fiscal years.

Remissions

In 2021–22, the PBC was subject to the requirement to issue remissions under section 7 of the *Service Fees Act*^{viii} for the first time. This section requires organizations to remit a fee, in whole or in part, to a fee payer when a service standard was deemed not met. The PBC’s remission policy and procedures, pursuant to the *Service Fees Act* and subsection 4.2.4 of the Treasury Board *Directive on Charging and Special Financial Authorities*, can be found at the following web page: [Record Suspension Application Processing Fee – Remission Policy](#).^{ix} Given the reduction in application fee, this policy only applies to applications accepted between April 1, 2021 and December 1, 2021.

In 2021–22, the PBC also issued remissions under its enabling legislation and the *Financial Administration Act*.^x These remissions may have been for reasons other than not meeting a service standard.

The Minister of Public Safety, pursuant to Order in Council [P.C. 1995-698, of April 26, 1995](#)^{xi} and paragraph 19(1)(b)2b of the *Financial Administration Act*^{xii}, has the authority to amend the *Pardon Services Fees Order*.^{xiii}

The sections below provide detailed amounts on PBC’s remissions for 2021–22.

Overall totals, by fee-setting mechanism

The following table presents the total revenue, cost and remissions for all fees that the PBC had the authority to set in 2021–22, by fee-setting mechanism.

Overall totals for 2021–22, by fee-setting mechanism

Fee-setting mechanism	Revenue (\$)	Cost (\$)	Remissions (\$)
Fees set by act, regulation or fees notice	2 792 378	6 147 333 ²	132

Totals, by fee grouping, for fees set by act, regulation or fees notice

A fee grouping is a set of fees relating to a single business line, directorate or program that a department had the authority to set for those activities.

² This is the total cost for both application fees as PBC cannot determine with certainty which costs are associated with the \$657.77 fee or \$50.00 fee.

This section presents, for each fee grouping, the total revenue, cost and remissions for all fees that the PBC had the authority to set in 2021–22, that are set by the following:

- Act
- Regulation

Record Suspension Application Fee: totals for 2021–22

\$657.77 fee (between April 1st, 2021 and December 31st, 2021)

Revenue (\$)	Cost (\$)	Remissions (\$)
2 706 478	6 147 333 ³	132

\$50.00 fee (between January 1st, 2022 and March 31st, 2022)

Revenue (\$)	Cost (\$)	Remissions (\$)
85 900	0 ⁴	0 ⁵

Details on each fee set by act, regulation or fees notice

This section provides detailed information on each fee that the PBC had the authority to set in 2021–22 and that was set by the following:

- Act
- Regulation

³ This is the total cost for both fees, as PBC cannot determine which costs are associated with the \$657.77 fee or \$50 fee.

⁴ This is the total cost for both fees, as PBC cannot determine which costs are associated with the \$657.77 fee or \$50 fee.

⁵ Following the application fee reduction to \$50.00, the PBC is now exempted from the legislative service standards under the *Service Fees Act*, but has implemented internal established timeframes for the processing of applications under the \$50.00 application fee. Remissions are no longer applicable.

Fee grouping

Record Suspension Application Fee

Fee

Record Suspension Application Fee: Repealed as of January 1, 2022

Fee-setting authority

Minister's authority, Order in Council [1995-698](#)^{xiv}

[Pardon Services Fees Order](#) (justice.gc.ca)^{xv}

Year fee-setting authority was introduced

1995

Last year fee-setting authority was amended

2022

Service standard

Record suspension or pardon applications for summary convictions are processed within 6 months of application acceptance; record suspension or pardon applications for indictable offences are processed within 12 months of application acceptance; and record suspension or pardon applications that the PBC is proposing to refuse to order or proposing to deny are processed within 24 months of application acceptance.

Performance result

In 2021-22, the PBC received a total of 6,748 record suspension/pardon applications subject to the above service standards and accepted 5,332 for processing. Accepted applications subject to the above service standards were successfully processed within the established standards at 99.07%.

Average processing time for record suspension applications subject to the above service standards:⁶

- Containing offences tried summarily: 97 days;
- Containing offences tried by indictment: 303 days; and
- Where the PBC refused to order a record suspension: 350 days.

⁶ The average processing times reflect applications that have carried over from the previous fiscal year.

Average processing time for pardon applications subject to the above service standards:⁷

- For pardon issued: 24 days;
- For pardon granted: 246 days; and
- Where the PBC denied a pardon: 479 days.

Application of *Low-Materiality Fees Regulations*

Material (>\$151)

2021-22 fee amount (\$)

657.77

2021-22 total fee revenue (\$)

2 706 478

2021–22 total remissions issued for the fee (\$)

132

Fee adjustment date in 2023–24

The fee was repealed as of January 1, 2022

2023–24 fee amount (\$)

50.00

⁷ The average processing times reflect applications that have carried over from the previous fiscal year.

Fee grouping

Record Suspension Application Fee

Fee

Record Suspension Application Fee: Effective as of January 1, 2022

Fee-setting authority

Minister's authority, Order in Council [1995-698](#)^{xvi}

[Pardon Services Fees Order](#) (justice.gc.ca)^{xvii}

Year fee-setting authority was introduced

1995

Last year fee-setting authority was amended

2022

Established processing times

Not subject to service standard requirement.

Although there are no legislated service standards attached to the new \$50.00 application fee, the PBC will continue to process applications in a timely manner and endeavour to adhere to the established processing times:

- Summary offence: within 6 months of application acceptance.
- Indictable offence: within 12 months of application acceptance.
- For applications where the Board is proposing to refuse to order a record suspension or deny a pardon, it can take up to 24 months for a final decision.

Performance result

In 2021-22, the PBC received a total of 4,233 record suspension/pardon applications not subject to the above service standards and accepted 1,937 for processing. Accepted applications not subject to the above service standards were successfully processed within the established standards at 100.00%.

Average processing time for record suspension applications not subject to the above service standards:⁸

- Containing offences tried summarily: 74 days;
- Containing offences tried by indictment: No indictable files ordered by year-end; and
- Where the PBC refused to order a record suspension: No record suspensions refused by year-end.

Average processing time for pardon applications not subject to the above service standards:⁹

- For pardon issued: 29 days;
- For pardon granted: 90 days; and
- Where the PBC denied a pardon: No pardons denied by year-end.

Application of *Low-Materiality Fees Regulations*

Low-materiality (<\$51)

2021-22 fee amount (\$)

50.00¹⁰

2021-22 total fee revenue (\$)

85 900

2021–22 total remissions issued for the fee (\$)

0

Fee adjustment date in 2023-24

Not applicable

2023-24 fee amount (\$)

50.00

⁸ The average processing times reflect applications that have carried over from the previous fiscal year.

⁹ The average processing times reflect applications that have carried over from the previous fiscal year.

¹⁰ On December 21, 2021, the Government of Canada announced a reduction of the record suspension application fee from \$657.77 to \$50.00. The fee reduction was made in accordance with the [Pardon Services Fees Order](#), and took effect on January 1, 2022.

Endnotes

- ⁱ Government of Canada, <https://www.canada.ca/>
- ⁱⁱ Department of Justice, <https://laws-lois.justice.gc.ca/eng/acts/S-8.4/index.html>
- ⁱⁱⁱ Department of Justice, <https://laws-lois.justice.gc.ca/eng/regulations/SOR-2019-109/index.html>
- ^{iv} Treasury Board Secretariat, <https://www.tbs-sct.gc.ca/pol/doc-eng.aspx?id=32502>
- ^v Parole Board of Canada, <https://www.canada.ca/en/parole-board.html>
- ^{vi} Department of Justice, <https://laws-lois.justice.gc.ca/eng/acts/a-1/>
- ^{vii} Parole Board of Canada, <https://www.canada.ca/en/parole-board/corporate/transparency/access-to-information-and-privacy.html>
- ^{viii} Department of Justice, <https://laws-lois.justice.gc.ca/eng/acts/S-8.4/index.html>
- ^{ix} Parole Board of Canada, <https://www.canada.ca/en/parole-board/corporate/publications-and-forms/record-suspension-application-processing-fee-remission-policy.html>
- ^x Department of Justice, <https://laws-lois.justice.gc.ca/eng/acts/f-11/page-1.html>
- ^{xi} Department of Justice, <https://laws-lois.justice.gc.ca/eng/regulations/SI-95-59/page-1.html>
- ^{xii} Department of Justice, <https://laws-lois.justice.gc.ca/eng/acts/f-11/page-1.html>
- ^{xiii} Department of Justice, <https://laws-lois.justice.gc.ca/eng/regulations/SOR-95-210/index.html>
- ^{xiv} Department of Justice, <https://laws-lois.justice.gc.ca/eng/regulations/SI-95-59/page-1.html>
- ^{xv} Department of Justice, <https://laws-lois.justice.gc.ca/eng/regulations/SOR-95-210/index.html>
- ^{xvi} Department of Justice, <https://laws-lois.justice.gc.ca/eng/regulations/SI-95-59/page-1.html>
- ^{xvii} Department of Justice, <https://laws-lois.justice.gc.ca/eng/regulations/SOR-95-210/index.html>