

EXPLANATORY NOTES

APPLICATION FOR NO-DISCLOSURE OF INFORMATION CONTAINED IN COMPUTERIZED RECORDS IN CRIMINAL MATTERS

Directive D-21 (SJ-788A)

In certain circumstances, the form *Application for no-disclosure of information contained in computerized records in criminal matters* enables persons who have faced criminal charges to submit a request to block public access to information contained in computerized registers and statements kept by the Ministère de la Justice. However, that application does not make judicial files inaccessible, as they remain public.

You can make that application if you are in one of the following situations:

- The tribunal rendered a verdict of acquittal further to a trial in which the tribunal ordered a stay of proceedings
- The prosecutor laid an information under sections 810 to 810.2 *Cr.C.*, but that information was subsequently dismissed, cancelled or withdrawn.
- The charge was dismissed, cancelled or withdrawn by the tribunal. A charge can be dismissed, cancelled or withdrawn for various reasons. For example, the successful completion of an adaptation or restorative justice program, such as the General Alternative Measures Program (PMRG), or a Mental Health Justice Accompaniment Program (PAJ-SM), may lead to the charges being withdrawn.
- The charge was stayed further to a stay of proceedings at the instance of the prosecutor, under section 579 *Cr.C.*
- The charge was withdrawn by the tribunal further to a preliminary inquiry for insufficient evidence, or after a plea of *autrefois acquit* or a plea of *autrefois convict* was allowed by the tribunal.
- The accused was convicted or pleaded guilty and was sentenced to an absolute discharge.
- The accused was convicted or pleaded guilty and was sentenced to a conditional discharge.
- The accused was declared not criminally responsible on account of mental disorder further to a trial and was absolutely discharged by the tribunal or the Commission d'examen des troubles mentaux du Québec.
- The accused was declared not criminally responsible on account of mental disorder further to a trial and was discharged subject to the terms indicated by the tribunal or the Commission d'examen des troubles mentaux du Québec.
- The accused entered into a recognizance to keep the peace under section 810 *Cr.C.*

Before filing your application, you must wait until the expiry of the time limit applicable to your situation, as indicated on the form.

TYPES OF FORMS

- Dynamic PDF:

After completing the form, you must print it on letter-sized paper, i.e. 8.5 inches by 11 inches (215.9 mm by 279.4 mm).

- Paper:

If you complete the form by hand, please write legibly in block letters.

PROCEDURE

Once the form is completed, keep a copy for your files.

The application is free of charge.

For further information, as well as the contact information for all [courthouses](#) in the province of Québec, consult the website of the Ministère de la Justice at www.justice.gouv.qc.ca.

**APPLICATION FOR NO-DISCLOSURE OF INFORMATION
CONTAINED IN COMPUTERIZED RECORDS IN CRIMINAL MATTERS**

Directive D-21

CANADA
PROVINCE OF QUÉBEC

District:
Locality:
File No.:
Police force and Occurrence No.:

Name of applicant	Date of birth	Year	Month	Day	Area code	Phone number (House)
Address of applicant	Postal code	Area code	Phone number (Work)	Post		

Asks the clerk to make irretrievable the information contained in the computerized records of the following file, for the following reason:

- acquittal or a stay of proceedings by the tribunal
(2 months after expiry of time limit for appeal or
3 months after expiry of appeal proceedings)
- information laid under sections 810 to 810.2 *Cr.C.*
(1 year after date of dismissal or withdrawal)
- charge dismissed or withdrawn
(1 year after date of dismissal or withdrawal)
- stay of proceedings by the prosecutor by virtue of section 579 *Cr.C.*
(1 year after date of stay of proceedings)
- release at preliminary inquiry or on plea of *autrefois acquit*
or *autrefois convict*
(1 year after date of release)
- absolute discharge
(1 year after date of order)
- conditional discharge
(3 years after date of order)
- absolute discharge following a verdict of not criminally responsible
on account of mental disorder
(1 year after date of disposition)
- discharge subject to terms indicated by the court or
the Review Board following a verdict of not criminally
responsible on account of mental disorder
(3 years after date order)
- recognizance to keep the peace, s. 810 *Cr.C.*
(1 year after date of end of recognizance)

File no. _____

Date of judgment _____

If the case was appealed from

File no. _____

Date of judgment _____

_____ Date

_____ Signature of applicant or his/her attorney

FOR THE USE OF THE CLERK	
<input type="checkbox"/> I have checked the files mentioned herein above and the grounds indicated in support of this application are correct. The time limits indicated in the directive have expired. The computer registers concerning the above records will no longer be accessible as of _____	<input type="checkbox"/> I refuse for the following reason(s): _____ _____ _____ _____

_____ Date

_____ Signature of clerk