



NOVA SCOTIA BARRISTERS' SOCIETY

**POLICY ON CRIMINAL RECORD CHECKS**

**Rationale**

**1.1** Section 4 of the *Legal Profession Act* charges the Nova Scotia Barristers' Society (the "Society") with regulating the profession in the public interest. Per this mandate, one of the concerns of the Society is ensuring that lawyers are persons of "good character".

**Due Diligence**

**1.2** As part of the Society's due diligence process, the Society requires applicants who are not currently members of another Law Society in Canada seeking membership to provide a criminal record check as past conduct may reflect on current character.

**Not Automatic Bar**

**2.1** Applicants will be made aware that past criminal conviction is not an automatic bar to admission.

**Factors for Assessment**

**2.2** Applications evidencing past criminal charges or convictions which bring character or fitness into issue will be considered by the Credentials Committee (the "Committee"). The Committee will weigh evidence of good conduct against evidence of the criminal offence, and in doing so, will assess these factors:

- (a) applicant's age at the time of the offence in question;
- (b) how long ago the offence occurred;
- (c) frequency of occurrence;
- (d) seriousness of the offence;
- (e) factors underlying the offence;
- (f) evidence of rehabilitation; and
- (g) applicant's positive social contributions since the offence.

**Criminal Record Check**

**3.1** All applicants for admission must:

- (a) answer all questions pertaining to good character set out in the application; and
- (b) include with their application a Canadian Police Information Centre Criminal Record Synopsis (CPIC Check) dated within the six-month period prior to the application date.

**Subsequent Circumstance**

**4.1** An applicant who at any time following completion of his or her application, encounters a circumstance that would alter the answers to the questions initially asked on the application, must report the matter to the Executive Director immediately.