

Criminal records and pardons

Three years ago, Stephen was convicted of indecent exposure in an adult movie theatre. It was the only time that he had ever been in trouble with the law, but now he has a criminal record. Stephen knows that this criminal record could cause problems in the future. Stephen has decided that he must erase this blemish on his reputation.

A criminal record may effect Stephen's chances of employment. He will have a hard time getting a job that requires bonding or a licence. Stephen would have a hard time if he wanted to join a police force or become a lawyer. Employers are allowed to ask about criminal records. However, if Stephen has received a pardon, the employer cannot discriminate on the basis of the pardoned conviction.

A criminal record may make it difficult to travel abroad. While a criminal record will not always prevent someone from getting a passport, other countries may refuse to allow persons with criminal records into their country.

Stephen can take steps to have his criminal record erased. This is

known as a pardon. A pardon recognizes that Stephen is now a responsible citizen and should not suffer from the stigmatization of a past offence. The Criminal record is not destroyed it is only made inaccessible. Unless Stephen gets a pardon his criminal record will stay with him for the rest of his life.

If Stephen committed the offence when he was between the ages of 13 and 17 his record will be destroyed. If he took part in the alternative measures program his record will be destroyed two years after the program ends. If he was charged with a summary conviction offence his record would be destroyed two years after he was found guilty. If he was charged on an indictable offence the record would be destroyed five years after sentencing.

To get a pardon, Stephen must apply to the National Parole Board. If he was convicted of a summary offence, he can apply for a pardon two years after the sentence is served. If it was an indictable offence, he must wait five years. If he did not know what type of offence he was charged with he could contact the clerk of the court where

the trial took place. Absolute or conditional discharges are also placed on a criminal record, so it is necessary to get a pardon.

After Stephen applies for a pardon the RCMP conducts an investigation. They will consider the type of offence and his behaviour since the sentencing. If Stephen is found guilty of another offence, it will be unlikely that he will get a pardon. If he receives a pardon it can be revoked if he commits a subsequent offence or if he knowingly made a false statement on the application. The results of the investigation are sent to the National Parole Board.

Pardons are only available for convictions under a federal act such as the Criminal Code or the Narcotic Control Act. They are not available for convictions under provincial legislation such as the Motor Vehicles Act or the Liquor Control Act.

This column is intended to be used as a guide only. It is not meant to be a replacement for professional legal advice. If you require any additional legal information or legal counselling, please contact a lawyer.

Legal Ease

Residence Corner

Aitken House wins

One of the toughest things to do after winning an event is to come back the following year and win again. Aitken House accepted and won the annual Red Cross blood donor clinic for the second consecutive year.

Close to 70 Aitken House residents gave the gift of life by donating a litre of their blood. With the holiday season just around the corner and the risk of accidents being higher the Red Cross is in dire need of blood to replenish its stock.

Not only did Aitken supply a number of donors, they also assisted throughout the two day clinic.

Right now Aitken House is gearing up for another worthwhile cause, the Mark Jeffrey Memorial hockey game tonight between the STU Tommies and the UNB Red Devils.

The residence was allowed 94 tickets through Varsity Mania, a major sponsor of the game and sold all of them in a matter of minutes.

Hal Brothers, president of Aitken House, believes it's important to support worthwhile causes. "Whenever we are asked to lend a hand to any charity or fund we always do our best to come through. There's a lot of house spirit here and the guys rally around a cause. We make it one of our top priorities as a house."

S.W.A.T.

Women and A.I.D.S.

For many years in North America AIDS has been considered a disease of gay men and IV-drug users. As a result women have not been considered at risk of contracting the disease, which has consequently given them a false sense of security. It is expected that, this year in America, AIDS will be one of the five leading causes of death among women between 15 to 44 years of age.

Initially, women who acquired HIV were infected by sharing needles in IV-drug use. Now however, this increasing incidence of infection among women is due to heterosexual contact with an infected male.

In Canada the proportion of women with AIDS, who have contracted the disease through IV-drug use is only 6.2%, while those infected through heterosexual contact have a rate of 32.2% (heterosexual contact includes sexual contact with male IV-drug users, males infected by blood products and males who are bi-sexual). As many as 27.7% of women in Canada with AIDS are from other countries where they had contracted the disease through heterosexual contact. Of the remaining number of women with AIDS, 24.85% got the disease through an infected blood product which they received prior to 1985 (before screening of blood became mandatory), and 9.1% had not identified a specific risk factor. This latter group consists of women who have died or disappeared before their risk factor could be ascertained, as well as women whose only risk is having had sexual intercourse with partners whose HIV status is unknown.

Worldwide, it is predicted that by the year 2000 more women than

men will be infected with HIV, as the heterosexual mode of transmission becomes the primary means of spreading HIV infections in most industrial countries. Presently, the number of men with AIDS exceeds the number of women infected in every category except heterosexual transmission.

According to the World Health Organization at least 3 million women worldwide have already been infected with HIV. Unfortunately, life expectancy of these women will be much shorter than that of infected men, because of the lack of early recognition and treatment. Women tend to develop full-blown AIDS sooner after diagnosis of HIV infection, and have twice as many opportunistic infections, than most men infected with the virus. It is believed that women would be diagnosed with AIDS much sooner if the CDC (Centre for Disease Control) were to include in their definition for AIDS, symptoms such as cervical cancer, recurrent pelvic infections and candida. As it now stands women, who do not meet the criteria set down by the CDC, may be ineligible for disability pension from the CPP (Canadian Pension Plan), and many die without even being reported as having AIDS.

Women who suspect that they have come in to contact with an infected partner should look for symptoms such as: fatigue, fever, diarrhoea, weight loss, vaginal infections, menstrual abnormalities, persistent or recurrent yeast infections or herpes, and abnormal pap smear with dysplasia, and/or pelvic infections.

Women do not only have a responsibility to themselves but also to the children they may be carry-

ing. Women have become the major source of infection of infants with AIDS. Of the number of infected mothers, approximately 20% - 50% of them will pass on the HIV to their baby. HIV can be transmitted to the developing fetus via the placenta and may be transmitted to the newborn through breastmilk, although the latter is very rare.

Sexually active women should practise safer sex. This means that they should refuse to have unprotected sexual intercourse or insist that their partner use a condom every time they have intercourse. It is also a good idea to supplement the condom with spermicide for additional protection against HIV and other STD's (Sexually Transmitted Diseases). Do not be misled in to thinking that the PILL protects you from getting disease, it is simply a contraceptive device.

There is no doubt that abstaining from having sexual intercourse is the best way to prevent an infection. If you are going to have sexual relations, one of the most effective ways of preventing the spread of HIV is by remaining monogamous. Yet in a monogamous relationship it may still be wise to use a condom for protection. It is estimated that as many as 1500 married women worldwide, who are only having sex with their husbands, are becoming infected with HIV on a daily basis. You do not know who your partner was with before you, and it can be many years before any symptoms of HIV infection become obvious.

If anyone has a question regarding AIDS or any other STD's, please feel free to drop it in Box 118 at the Student Help Center, and we will try to answer them.

A
month
ago a dear friend
of mine lent me a book. She said
"Pass it onto others, it is one of those
kinds of books." I read it and passed it
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