

# Criminal code of canada + criminal records

Law



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Criminal of Canada Affiliation The criminal of Canada also known as criminelis a law that that specifies procedures, and criminal violations (Canada, Greenspan, Martin, & Rosenberg, 1990). It includes an act of parliament, an act of the legislature and an ordinance of a province place or territory at the time that the place, province or territory became a province of Canada. Code criminalis was formulated in order to maintain peace, promote morality resolve disputes and define boundaries for law administration in the society. The Canadian criminal law is founded on four basic factors namely relativity of outlawed behavior, English legal history, the history of the concept of justice and the liberal vs. conservative interpretative models. Code criminelis is divided into the following parts general, offences against public order, terrorism, firearms and other weapons. There is also offences against the administration of law and justice, sexual offences public morals and betting, offences against person and respect of certain property. In addition there are offences relating to currency, instruments and literature for illicit drug use. Others entail attempts-conspiracies accessories, jurisdiction, special procedure and powers, compelling appearance of an accused before a justice and interim release and language of accused. The criminal code mostly consists of common law and defenses rather than statute. However, there are important Canadian criminal laws that do not form the code and they include Canada evidence act, firearms act, youth criminal justice act, controlled drug and substance act and the contraventions act.

Code criminelis has been amended numerous times some of the amendments include the consolidation of federal statutes that occurred during 1955 and 1985. One of the major amendments was the passage of <https://assignbuster.com/criminal-code-of-canada-criminal-records/>

the criminal law amendment act in 1968 and 1969. The provisions of this law included the discrimination of homosexual acts between consenting adults, the legalization of contraception, abortion and lotteries, authorization of breathalyzer tests on suspected drunk drivers and new gun ownership. Numerous sections of the code criminelis have been struck down by the Canadian Supreme Court due to the existing legal challenges under the Canadian charter of rights and freedoms. The offending sections are wholly removed.

Persons aged between 12 and 17 can be charged in court with offences under the criminal code, they are prosecuted the say way adults are prosecuted and are subjected to the same laws of evidence. The youth criminal justice act however modifies evidence laws and the sentencing depending on the severity of the crime committed.

Criminal records of criminals in Canada are stored in a database. This is very vital information especially to employers and the government as it shows the criminal background of a person. There are various types of criminal records depending on the crime committed for example there are criminal records on felony, incarceration, bankruptcy, misdemeanor, arrests and warrants, police, civil among many others. Many criminal record search databases only have records for certain states. Some states offer criminal record information for free while others offer the information at a fee. Criminal information is available at state level or county level. Often a name will bring up several results but you can narrow down the search by inserting the sex, birth date, status (still in custody or released), race or where they were incarcerated (Canada, Greenspan, Martin, & Rosenberg, 1990).

Criminal records in Canada are not freely accessible to the public. If one  
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needs information on another person's criminal records he/she can browse on the internet and go to <http://www.in.gov/ai/sub>. This is the official criminal records website in Indiana. One is then required to pay a fee before any information is availed to him/her. It is important for one to know the type of criminal record he/she is looking for. Police agencies can also provide any needed information on criminal records. In order to obtain the right information about a person, visit the police agencies that cover the area where that person lives.

#### References

Canada, Greenspan, E. L., Martin, J. C., & Rosenberg, M. (1990). *Martins Criminal Code: Being the text of the Criminal Code, the Canada Evidence Act, the Food and Drugs Act, the Narcotic Control Act, the Young Offenders Act and the Canadian Charter of Rights and Freedoms*. Aurora, Ont: Canada Law Book.