

Start with a clean slate

Don't live with a dark cloud over your head – start with a clean slate by applying to have your criminal record expunged



Once a month for the next five months we bring you important information from the Department of Justice and Constitutional Development that could make a difference in your life. Next time we'll look at issues around child maintenance.



IT HAS been 10 years since you've been released from prison and you're struggling to make a living because of that criminal record. The good news is, you can get rid of it. Here's how.

A person may apply for expungement of a criminal record if:

- 10 years has lapsed since the date of the conviction for that offence.
- The person hasn't been convicted of any other offence and sentenced to a period of imprisonment without the option of a fine during those 10 years.
- The person was sentenced to any of the sentences set out in the form you

can view at www.justice.gov.za/forms/expungement/J744e_formA.pdf.

A person won't qualify if:

- He or she was convicted of a sexual offence against a child or a person who's mentally disabled, or of an offence for which he or she was found to be unsuit-able to work with children.
- His or her name is included in the National Register for Sex Offenders or the National Child Protection Register, but may qualify if his or her name has been removed from these registers.

Prior to the submission of the application for expungement of a conviction, a clearance certificate showing that a period of 10 years has lapsed since the conviction(s) and sentence(s)

must be obtained from the Criminal Record Centre of the South African Police Service. The clearance certificate must be attached to the application.

If the person's name has been included in the National Register for Sex Offenders, a confirmation must be obtained from the Registrar that his or her name has been removed from this register.

The confirmation or a certified true copy of the confirmation must be attached to the application.

How to go about it

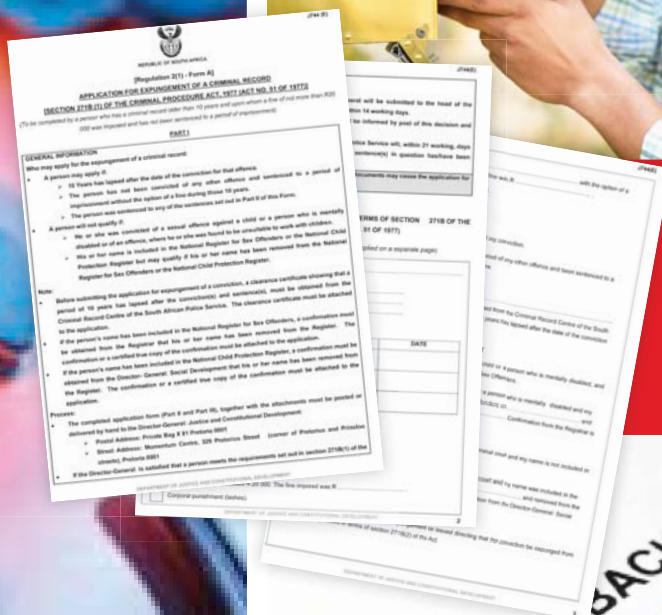
The completed application form, together with the attachments, must be posted or delivered



the doj & cd

Department:
Justice and Constitutional Development
REPUBLIC OF SOUTH AFRICA

AND CONSTITUTIONAL DEVELOPMENT



Watch your children grow without a criminal record hanging over your head. Apply for expungement now, it's free of charge:

- Complete the form.
- Post it.
- If you meet the requirements a certificate of expungement will be issued.

by hand to the Director-General: Justice and Constitutional Development.

● Postal address: Private Bag X81, Pretoria 0001.

● Street address: Momentum Centre, 329 Pretorius Street (corner Prinsloo), Pretoria.

If the Director-General is satisfied that a person meets the requirements, a certificate of expungement will be issued.

The certificate of expungement will be submitted to the head of the Criminal Record Centre of the South African Police Service within 14 working days.

The head of the Criminal Record Centre will, within 21 working days, confirm to the person

The difference between expungement and a presidential pardon

A presidential pardon is a complete forgiveness of the crime of which the party being pardoned was convicted. According to our constitution the decision to pardon or not can be taken only by the South African president. The pardon process is a long one and can take two years or longer to finalise due to the involvement of various role players. Both the processes of expungement and a presidential pardon are free of charge.

in writing that the conviction(s) and sentence(s) in question has/have been expunged.

If the application for expungement is refused, the person will be informed by post of this decision as well as of the reasons for the

decision.

● For more information call 012-315-1111, or go to facebook.com/DoJCD or www.justice.gov.za/.

