

Is your criminal record stopping you from moving forward in life? Find out if it is possible to expunge your record



If you have a criminal record, this can limit you in a variety of ways – particularly regarding future employment. A criminal record check is one of the most common parts of pre-employment screening so it's unlikely that no one will find out you have a record.

Expungement is the process of getting the records of one's criminal history sealed, removed, and destroyed so that they are no longer available on public records. This means that minor convictions will not count against people applying for new jobs, nor will they influence a credit rating with financial institutions and credit bureaus. By getting your criminal record expunged, you can access new opportunities and continue to be positive, law-abiding citizens able to fulfil your potential.

The first step is to check if you have a criminal record. You can do this through iFacts or by obtaining a SAPS Police Clearance Certificate and conducting online checks through authorised platforms like AFISwitch. These methods allow individuals to access their criminal record information, enabling them to make informed decisions and fulfil legal and regulatory requirements.

Not all crimes qualify to be expunged from your record. Higher-level offences are less likely to be considered over minor offences. Shoplifting a loaf of bread as a child could be forgiven but murder cannot. Your criminal record needs to meet certain criteria to qualify for expungement.

The South African Government lists the following as the criteria that must be met in order to have your record expunged:

A period of 10 years has passed after the date of the conviction for that offence.

You have not been convicted and sentenced to a period of imprisonment without the option of a fine during those 10 years.

The sentence was corporal punishment.

The sentence was postponed, or you were cautioned and discharged.

The sentence was a fine not exceeding R20 000.

You were convicted of a trivial offence such as petty theft, shoplifting, fraud, etc.

The sentence was imprisonment with the option to pay a fine (not more than R20 000) instead of serving the period of imprisonment.

The sentence of imprisonment was suspended wholly.

The sentence was correctional supervision in terms of the Criminal Procedure Act, 1977 (Act 51 of 1977) section 276(1)(h).

The sentence was imprisonment in terms of the Criminal Procedure Act, 1977 (Act 51 of 1977) section 276(1)(i).

The sentence was periodical imprisonment in terms of the Criminal Procedure Act, 1977 (Act 51 of 1977) section 276(1)(c).

Proof is provided that your name has been removed from the national register of sex offenders or the national child protection register, if relevant.

If you have a criminal record that meets the above criteria and you would like to get expunged, iFacts can help you. We can assist in getting your record removed so that you can continue with your life in a law-abiding fashion, without being held back by past mistakes.

Contact us today to learn more about getting your criminal record expunged.