

Would you hire a convicted criminal?

While prosecutors stated that Oscar's shockingly lenient six-year jail sentence for murder has the potential to bring the administration of justice into disrepute, the South Africa's Sports Confederation and Olympic Committee (SASCOC) CEO Tubby Reddy then paved the way for Pistorius to compete at the 2020 Paralympics in Tokyo, Japan.

According to Sport24, Reddy was quoted in an interview with UK online publication, Mail Online, saying that he had "no problem" with the idea of the 'Blade Runner' returning to the national team and representing his country.

Reddy had apparently told the publication that Pistorius would by then have paid his debt and will be back in society, living as a normal South African citizen.

Having been handed a six-year jail sentence for the murder of Reeva Steenkamp, Pistorius is likely to serve just three years and re-enter society at the age of 32. Such a scenario will give the former paralympian a full year to train for the 2020 Paralympics.

When contacted for further statements, SACOC said that it would not be making any further comments on this matter, which does raise some interesting questions for employers and organisations today. The number one question being: Would you hire a convicted criminal?

Most people will agree that this is a tenuous situation at best, with SASCOC likely playing with fire in terms of public opinion should they give Pistorius a free ride back to the lifestyle he enjoyed pre-murder.

But this raises another issue that many companies will have to deal with in the process of hiring new employees – how do you handle a candidate with a criminal history?

Right off the bat your first inclination might be to immediately write these candidates off. An employer is well within their rights to refuse a candidate based on these criteria should their crimes directly conflict with the nature of the position. Refusing a candidate based solely on their criminal record, regardless of the position in question, however, can lead to cases being brought against them by wrongfully denied job applicants.

However, think about the following scenarios for a moment. Would any of you want to hire the man responsible for the Bastille Day Terrorist Attack in Nice. A review into the personal background of Mohammed Lahouaiej Bouhlel reveals a troubled and highly promiscuous character who seemed to have difficulty maintaining long-term employment. He displayed violent behaviour towards his family, and was even assessed by a psychologist as his own father had concerns about his increasingly troubling behaviour. This all happened years before Bouhlel was radicalised into a so-called Soldier of Islam.

What about the Orlando Nightclub killer, Omar Mateen? Was he another radicalised terrorist attacker, or was he a closeted homosexual who believed that he was taking revenge on the gay community? Either way, former colleagues and acquaintances confirmed that in the years and months leading up to his unthinkable crime, he displayed behaviour that was disturbing at best.

On the other side of the coin there is also a strong case to be made for those former criminals who have atoned for their crimes, and are now ready to serve society.

Perhaps better than ever before, because they come armed with a multitude of knowledge and insight. Local examples include, Brad Sadler, the former NBS Bank Corporate Manager. After being convicted of fraud to the tune of some R50 million, Brad served a prison sentence, which has led to him becoming a well-known Fraud Awareness lecturer today.

Shani Zor Krebs, served 18-years in a Thai prison for drug smuggling, and now makes a living as a talented artist and well-known anti-drug campaigner.

Not all those who have strayed are forever lost...

In order to make the most informed and fair hiring decision possible candidates with criminal backgrounds must undergo an extensive screening process as companies are well within their rights to ensure that any newly hired candidates do not have a long-term negative impact on the business or any other employees.

With more than 20% of South African job seekers having some form of criminal record against their name, this becomes a crucial step in ensuring that you maintain a fair but stringent hiring policy.

For example, individuals might have a criminal record based on driving offences, which would be enough to rule them out from contention for a position as a delivery driver, but not necessarily an office admin manager. Contextualising the crime of the individual in direct correlation to the job they will be carrying out, will help you make more informed hiring decisions.

Essentially, the rule of thumb should be to not rule anyone out simply based on the fact that they have a criminal record against their name.

Weigh up the balance between their professional skills and experience in relation to the position against the nature of their crimes and their relevance to their potential position, and you will likely find yourself with a more motivated and harder-working workforce.

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