

A Scarlet Letter:

The Reintegration of Ex-offenders into the South African Labour Market

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Nkululeko Masana Dlamini

Student number: 393071

Supervised by: Dr. Sarah Mosoetsa Ph.D.

ABSTRACT

This research study seeks to examine the South African labour market, using the case of ex-offenders and their difficulties in entering the formal labour market and securing full-time employment after they have been released from correctional facilities. The 'Scarlet letter' in the title refers to a euphemism used to describe the effects of the criminal record on the prospect of employment. As part of the research, I also examine the perspectives of employers about their willingness to employ ex-offenders as well as some of the reservations they may have, as representatives of the labour market. Although there is extensive research on reintegration as well as barriers to reintegration, especially in Europe and the United States, none of these have married the labour market experiences and reintegration experiences of ex-offenders, especially in the South African context. This study employed qualitative research methods and techniques to explore the meaning ex-offenders attach to their social experiences. Data was collected by means of in-depth interviews in order to gain a comprehensive understanding of the lived experiences of these ex-offenders and a vivid picture from the key informants. In this regard, participants in the study consisted of thirteen Black male ex-offenders, three representatives from the National Institute for Crime Prevention and Reintegration of Offenders (NICRO), one representative from a Non-governmental Organisation (NGO) called We Can Change Our World (WCCOW), five Human resource managers at a property management firm as part of a focus group discussion and one executive at a recruitment company. All interviewed ex-offenders shared similar experiences of their challenges and limited social and economic reintegration, especially related to finding a job in South Africa. The study reveals that discrimination in the workplace continues in contemporary South Africa, but such experiences are even worse for ex-offenders. The study concludes that a lot still needs to be done to transform the South African labour market and correctional facilities, linked policies and practice for the majority, especially ex-offenders who have "paid their debt to society".

DECLARATION OF ORIGINALITY

Nkululeko Masana Dlamini, Student number: 393071

Declaration

1. I understand what plagiarism is and am aware of the University's policy in this regard.
2. I declare that this research project is my original work. Where other people's work has been used (either from a printed source, internet or any other source), this has been properly acknowledged and referenced in accordance with departmental requirements
3. I have not used work previously produced by another student to hand in as my own
4. I have not allowed, and will not allow anyone to copy my work with the intention of passing it off as his or her own work

Signed_____

Nkululeko Masana Dlamini

Date_____

DEDICATION

I dedicate this research project to my biggest cheerleader, my late grandmother Gxothiwe Anna Dlamini. I hope I have made you proud, thank you for your constant support, encouragement and prayers.

Acknowledgements

First and foremost I would like to thank God for providing me with this opportunity to further my studies and for constantly giving me strength and hope, especially during the times I wanted to give up. To my mother, Sibongile Dlamini, thank you for believing in me and supporting me in my endeavours even though you do not always agree with my choices. For all the support, encouragement and prayers I am forever grateful. Thank you to my sister, Jacqueline Dlamini for all your words of encouragement. To my cousin, Kanabo Qonggo, you have always inspired me to do better and be better, thank you for being a great role model.

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Chapter 1: Introduction, background and context

1.1. Introduction

This research study examines the shortcomings in the South African labour market, specifically discrimination of ex-offenders. In addition, the study investigates their difficulties in accessing the formal labour market and finding employment after they have been released from a correctional facility. As part of this study, I also intend to examine the perspectives of employers with regards to their willingness to employ ex-offenders as well as some of the reservations they may have as representatives of the labour market.

The South African labour market is one which is riddled with inequalities which have made it difficult for many groups, especially black people, the youth, women, the disabled and the elderly to gain employment. Just like every other facet of social life, the labour market during apartheid was racially segregated meaning that access into the formal labour market was reserved for the white population (Bhorat et al. 2001, Modisha, 2008; Webster and Omar, 2003). As a result, other race groups were disenfranchised in that they were given inferior education and were not afforded the same opportunities to obtain the skills and experience necessary for formal labour market participation. Since the end of apartheid, there have been laws and interventions that have attempted to address this legacy of inequality. But there are still indirect forms of discrimination that take place in the labour market which revolve around the perceptions of those who supposedly control the labour market, that is, employers.

This study intends to explore this discriminatory nature of the South African labour market by using the disadvantage that comes with a criminal record and how this serves as an extra handicap for ex-offenders when they attempt to gain access into the post-apartheid South African labour market.

Re-entry into the labour market is an important part of the reintegration process because of the benefits this has for the society as a whole. The most significant benefits are lower recidivism rates and unemployment rates. Recidivism is described in the literature as the re-engagement in criminal activity by the ex-offender (Maruna and Immarigeon 2004; Muntingh 2008; Weiman 2007).

In South Africa, there is a case to be made for this study of the relationship between the labour market and ex-offenders because we have extremely high rates of both recidivism (94%) and unemployment (43% by the broad definition) (Macquet 2014 and Statistics South Africa, 2015). Moreover, there has been a strong focus on other types of discrimination in the labour market, for example, race and gender given the socio-political history of South Africa, but not enough is being done to understand how perspectives of criminality affect those with criminal records or a *Scarlet letter* when they attempt to enter and/or re-enter the labour market. The Scarlet letter is a euphemism for the shame and stigma that comes with having a criminal record and is used as a way of discriminating against ex-offenders looking for employment. Therefore my research question is:

- What are the experiences of ex-offenders when they attempt to re-enter the South African labour market?

Some of the sub-questions I address are;

- What do these experiences tell us about the labour market?
- How, if at all, does this experience affect the success or failure of the overall reintegration process?

1.2. Background and context

“Any understanding of offender reintegration starts with prisons” (Muntingh, 2001: 5). Before the issue of reintegration can be dealt with, there needs to be an understanding of prison and its function. Prisons were built with the intention of punishing criminals and deterring them and everybody else from committing crimes. However, citing research conducted almost 200 hundred years ago, Lukas Muntingh (2001) concluded that prison is in no way helping to reduce crime rates and deter people from committing crimes even 200 years later. Not only does prison not deter people from committing crime. Conversely, it increases the chances of offenders continuing to commit crimes and end up back in prison.

The number of people incarcerated as of 2014 was 159 563. This number has been decreasing every year from the year 2000 when there were 187 640 people in prison. However, the number is still considerably high considering South Africa’s prison system has a capacity of 120 000 (Institute of Criminal Policy Research).

The reason why incarceration is not working in breaking the cycle of crime is because of the logic on which it is based. The notion of taking away someone's freedom and having control over their time and what they do with their time is said to invoke some sort of remorseful reaction in the offender to the extent that they will not want to lose said freedom again. Therefore, this eventually leads to a reformed law abiding citizen (Muntingh, 2001).

There are two significant flaws in this logic as highlighted by Muntingh (2001: 9). The first is that there is an assumption that these individuals had freedom to decide their own destinies in the first place. This is a reference to their circumstances and how they (circumstances) determine their futures. Research shows that people who come from poor and disadvantages backgrounds are more likely to commit crimes and get involved with gangs for many reasons ranging from survival to boredom (Schönteich and Louw, 2001).

The second flaw is the assumption that being detained and stripped of your freedoms is going to turn one into a law abiding citizen with the skills and resources to function like one (Muntingh, 2001). The proof that offenders are not equipped enough to turn their lives around on their own is in the recidivism rate which is currently between 85-95% (Muntingh 2008; Macquet, 2014). On the contrary, punishment by detention perpetuates the cycle of crime and produces individuals who are enraged at society which does not take them away from crime but draws them in further.

In the 1990s, there was a shift in the way in which the South African Department of Correctional Services operated after the end of apartheid and during the reorganising of the country's political dispensation resulting in the interim Constitution of 1993. One major shift was that the Prison Service was removed from the Department of Justice and renamed the Department of Correctional Services (Department of Correctional Services, 2008).

The second shift that accompanied this reform was the "*non-custodial correctional supervision*" (Department of Correctional Services, 2008: 27) which entailed some offenders serving their sentences in the community instead of in prison. The aim of this reform was to deal with prison overcrowding (Department of Correctional

Services, 2008). This was the first step in the direction of rehabilitation as opposed to the penal restitutive system that preceded it.

As part of the new Department of Correctional Services, the National Crime Prevention Strategy was formulated and approved by government in 1996. This strategy was employed in order to spearhead the rehabilitative approach that the department had adopted. As previously mentioned, the main aim was:

“...to transform South African prisons from being so-called universities of crime or criminal headquarters into effective rehabilitation centres that produce skilled, reformed individuals who are capable of successful reintegration into their communities as law abiding citizens” (Department of Correctional Services, 2008: 29).

After the passing of the Constitution in 1996, the Department of Correctional Services reformed its legislation to correspond with the new Constitution. The new Correctional Services Act no.111 of 1998 was passed including in it human rights of offenders, reformed disciplinary procedures for offenders as well as a community involvement commitment (Department of Correctional Services, 2008).

At this point, I would like to note that even though there is policy and admirable reforms that show the commitment of the Department of Correctional Services, the issue of overcrowding remains a challenge. In addition, South African prisons are still unsafe zones that are controlled by gangs. These reforms took effect over 20 years ago and the department is clearly still struggling with ensuring that correctional facilities become the place where offenders are rehabilitated and their behaviour is corrected.

Not only is there a crime and recidivism issue in South Africa, there is also an unemployment issue and the link between these two matters is undeniable. As previously mentioned, the chances of people who are disadvantaged and unemployed and inevitably unable to take care of themselves to take part in criminal activity are high. The link between successful reintegration, deterrence and employment is also important and studies have shown that those who are employed in permanent jobs are less likely to turn to crime as a means of survival and also those who are able to find stable employment after they have been in prison are less

likely to return to lives of crime (Holzer et al., 2003, Theodore and Peck, 2008). South Africa's national unemployment rate for 2015 was set at 25%. This rate includes only those who are unemployed and are still actively seeking employment.

The expanded rate stands at 43% (Statistics South Africa 2015) which includes people who have given up on finding jobs. There are serious repercussions for society if we disregard those who are unemployed and have given up on finding jobs because these people are encouraged and more enticed by the crime. Since there are fewer jobs than there are job seekers and with companies downsizing and retrenching workers, unemployment is on the rise.

There is a desperate need for a new way of dealing with crime and punishment so that it actually makes a difference in crime reduction and deterrence. This is where reintegration comes in.

“Offender reintegration is not way of being soft on crime...it is a challenging process that holds offenders accountable for their actions in a constructive and restorative manner” (Lukas Muntingh, 2001: 6).

Successful offender reintegration programmes helps train the offender to be a constructive member of society and reintegration helps the communities deal with the ways in which they have been wronged through restorative justice. Despite this noble effort, the necessity of this study rests on the argument that the reintegration process has failed. My aim is understand why this has happened, in the labour market specifically and whether or not anything can be done to modify the process in such a way there is some way of solving crime, recidivism and unemployment simultaneously.

1.3. Report layout

Chapter one provides an introduction and an outline of the issues covered in the research as well as objectives and intentions of the study together with a background and contextualisation of the research problem which yields the relevance of this study.

Chapter two serves as the theoretical grounding for the research report and is a review of the literature pertaining to the study, including but not limited to various

perspectives on stigma, discrimination and precarity. These concepts will be used to analyse and explain the data.

Chapter three is the methodology section. This chapter discusses the research design and approaches used to collect and analyse the data. It also documents the actual research experiences and the study's limitations.

Chapter four is the first of three data analysis chapters. It explores the experiences of ex-offenders who have managed to find employment and how they were able to attain their jobs by means of their social capital and networks. This chapter also discusses some of the difficulties they experience in the workplace, which include exploitation and intolerance, and how they respond to these challenges.

Chapter five, the second data analysis chapter, examines the experiences of the ex-offenders who have not been fortunate enough to find employment since their release and how they respond to the rejection they experience while searching for jobs. This chapter also discusses how some of ex-offenders explore alternative work opportunities outside the formal labour market and how they navigate the precarious nature of these alternatives.

Chapter six is the final data analysis chapter and discusses the perspectives of some of the non-governmental organisations (NGOs) involved in the reintegration process and the perspectives of employers as representatives of the labour market and the workplace. This chapter also documents some of the difficulties encountered by these NGOs when working with ex-offenders and concludes with possible solutions to labour market reintegration. Furthermore, captured in this section are the power dynamics between employer and employee and how these affect not only labour market climate but also an ex-offender's chances for labour market absorption.

Chapter seven concludes the report and offers recommendations for possible advancement of labour market reintegration.

Chapter 2: Concepts, Theory and Literature review

2.1. Introduction

Through the literature review I intend to elaborate on the debates among various scholars who have conducted seminal research on some of the key concepts that I am using in this study. The literature also provides the theoretical foregrounding for the research report and sets the parameters within which my data will be analysed.

I have decided to focus on five major themes covered on this topic namely; *the stigma attached to being an ex-offender, a life of precarity, discrimination in the workplace and the labour market, other challenges in reintegration and employer attitudes towards hiring ex-offenders*. I begin with some contextualisation of the issue I am attempting to address by means of a brief history of the South African labour market.

2.2. History of the South African labour market

Under the apartheid regime discrimination was institutionalised on the basis of race. This took place from 1948-1973. Van der Berg and Bhorat (1999) explain and discuss three levels at which this institutional racial discrimination was administered.

The first was the macro level which encompassed industrial decentralisation, the meso level which was the separation of race and ethnicity groups through the Group Areas Act and the implementation of removals of black people out of the city into the periphery (townships), influx control and separate schools. Lastly, at the micro level was the separation of races through the use of separate facilities and amenities such as parks, bathrooms etc. (Van der Berg and Bhorat, 1999; Von Holdt, 2005). It is important to note that these levels overlapped and affected each other.

For the purposes of my literature review, I will be focusing on the meso level of apartheid because that is where labour market discrimination is situated. The apartheid government created and implemented policies and interventions that would deliberately put white people ahead of black people in the labour market (Van der Berg and Bhorat, 1999; Standing et al. 1996; Von Holdt, 2005).

Some of these policies included the Bantu Labour Regulation Act of 1968 which was used to enforce influx control and to monitor the movements of black people, which made easy access to employment in the city difficult. Another measure that was put in place to protect the status quo was the Industrial Conciliation Act of 1963 this was to ensure that black people do not advance to higher positions in the workplace especially in state owned and controlled enterprises (Van der Berg & Bhorat, 1999: 7; Standing, et al. 1996: 4).

This was reinforcement for the Bantu Education Act of 1953 which already ensured that through the inferior education, black people would enter the labour market at a disadvantage. Von Holdt (2005) describes the apartheid workplace as a racialised control mechanism. In doing this, white people ensured that black knew that they were inferior and that this was how they would construct their identities as black people (Von Holdt, 2005: 49). Two of the pivotal interventions were the Wiehahn Commission which advocated for the abolition of job reservation and lead to the Industrial Coalition Act of 1979 (Van der Berg & Bhorat, 1999: 8). The other was the Riekert Commission which dealt with the issue of labour mobility. After the overthrow of the apartheid government and the coming of democracy in 1994, more retributive measures were taken regarding the reversal of institutional discrimination in the labour market and a complete abolition of the “apartheid labour regime” (Von Holdt, 2005). These included the democratic Constitution, the Labour Relations Act no. 66 of 1995, the Employment Equity Act no. 55 of 1998, the Skills Development Act no. 97 of 1998 and the Basic Conditions of Employment Act no. 75 of 1997 (Barker, 2007; Standing, et al., 1996; Van der Berg, 1999; Bhorat, et al. 2001; Modisha, 2008; Bezuidenhout, 2008; Webster and Omar, 2003; Von Holdt, 2005).

These laws and interventions were passed and implemented in order to eradicate direct discrimination and to protect the right to fair and equal treatment in the labour market and the workplace. They also sought to level the playing field and address the skills gap among the races and across gender. The main problem with these laws and reforms is that they mainly protect those who are already employed. Therefore, how does one protect themselves for discrimination in the hiring process?, Or how do those in the informal economy and in precarious labour protect themselves?, especially when one is not exposed to what happens behind the scenes.

2.3. Stigma: A scarlet letter

Work done on the topic of stigma by Erving Goffman (1963) has been highly influential in studies of social identity. His work on this topic explores what he calls the 'spoiled identity' and how this affects the individual and their social life when one has been stigmatized (Goffman 1963).

He describes stigma as a reference "*to an unfavourable attribute that is discrediting*" (Goffman, 1963: 13). The research done on this topic seeks to uncover the social relationships that stigmatized individuals have with people referred to as 'normal' (Goffman, 1963), and how these relationships and interactions affect how they see themselves and perceive their social identity. He also talks about how through the growing population of stigmatized individuals, they may isolate themselves spatially from 'normal' people (Goffman, 1963: 35). When it comes to the expression of identity an individual may conceal certain attributes about themselves just so that there is less of a chance of being stigmatized. Goffman (1963: 13) uses the example of the stigma attached to being physically disabled and what happens when these people want to join the army. Because of the connotations that disabled people will not be able to fight, some may conceal their disabilities.

In the case of the ex-offenders, the stigma comes from the criminal/ex-offender status and this is what causes them to be received differently by society and the labour market. The stigma of being an offender affects the individual's self-identity in such a way that they see themselves in the same light as those who do not accept them (Hirschfield and Piquero, 2010). As a result, they have low morale and low motivation to get employment. The response of the stigmatised individual could either be detrimental to the self, as shown above, or the individual can make the choice to transform and change their opinion of themselves by changing the way they go about their lives and their own perception of their stigma (Goffman, 1963: 20).

This is possible and usually successful if something can be done about the situation that brought about the stigma. For the offender if they start to live different desistant lives then the way they view themselves will transform (Maruna and Immarigeon, 2004). But this is all dependent on the success of the reintegration process and a

strong indicator for the success of reintegration is the ability to find permanent employment.

Hirschfield and Piquero (2010) take this discussion further in that their focus was finding out what people in the community thought of offenders and how having ex-offenders in their communities made them feel. Their study was conducted via telephonic interviews in America across four states (Pennsylvania, Louisiana, Washington and Illinois). They found that there are many widely held stereotypical perceptions for example; it was not safe for their environment to be around offenders and ex-offenders (Hirschfield and Piquero, 2010: 44). They maintain that in order to erode these stereotypes and to possibly reduce stigma attached to being an offender more work needs to be done in terms of reintegration (Hirschfield and Piquero, 2010). However, they do acknowledge this will not happen without resistance, as there are many groups that are not willing to change their ideas of an offender and have de-humanised the offender to the point that the stigma will never go away (Hirschfield and Piquero, 2010: 47).

The research that Murphy et al. (2011) conducted is similar to Hirschfield and Piquero's study (2010) in terms of focusing on the perceptions of criminal status from the point of view of the community. But where they depart from one another is the way in which the information is presented. Murphy et al. (2011) include how all the negative energy affects the offender. In their rendition of the spoiled identity, they take the criminal record and the background check that employers use during the hiring process and compare it to a '*scarlet letter*' (Murphy et al., 2011). They refer to the stigmatization of ex-offenders in the employment process through the background checks as the '*electronic scarlet letter*' (Murphy et al., 2011). This scarlet letter is a symbol of shame and the spoiled identity of an ex-offender in the community and in the workplace. With the stigmatization of the offender, members of the community do not see a good person who has done wrong but they see someone with an immoral character who must be ostracised and removed from the rest of society (Murphy et al. 2011).

The report ends off with a discussion of psychological effects on the ex-offender. This is when the ex-offender now believes that he/she is the deviant he/she with the damaged moral character ascribed to them by stigma which explains the low self-esteem among ex-offenders and why they wind up associating with people who have been socially excluded like the have (Murphy et al., 2011; Muntingh, 2008).

2.4. Alternatives to the formal labour market: Precarious labour

Standing (2011) has done extensive research on explaining who the precariat are and what their existence means for the world as we know it. Those who form part of the precarious class have been described to be a by-product of the capitalism expansion project. With neo-liberalism in the 1970s came reforms that increased the size and flexibility of the labour market and the consequence for the workers was that jobs were no longer secure (Standing, 2011; Bieler et al., 2008). The precariat as Standing perceives them, can be described not only as those in temporary and casual employment but also as those whose lives in general are defined by instability and insecurity, as they lack “*work-based identity*” and are not able to build careers (Standing, 2011: 9).

However, precarity remains a highly contested concept. There are many scholars who have challenged Standing’s notion of precarity to a certain extent. There is at least a consensus that precariousness is defined by insecurity, risk and vulnerability. The contestation includes claims that not only is precarity not a new concept, emerging with the spread of globalisation but also that those who form part of the precariat do not constitute a class on their own but instead form a part of the working poor. Frase (2013) has debunked the notion of precarity, critiquing Standing (2011) as a basis for his argument. Frase has posed the question: Can the precariat be a class on their own or is precarity just a condition for parts of the working class? His answer ultimately is that they cannot be a class because there are not as different from the working class as Standing (2011) makes them out to be (2013: 11). He continues to explain that to be a class as Marx and Weber described means that

“...a group occupies a distinctive position in the economic system of production and distribution of goods and services and reproduction of human beings and society as a whole” (Frase, 2013: 12).

If we take this definition of what constitutes a class then the precariat does not fit the description because the working poor, also been referred to as the lumpen-proletariat (Munck 2013), have been known to live lives that are characterised by uncertainty and instability; for example, migrant labourers (Munck, 2013).

Economic globalisation can be understood as the global nature of the organisation of production (Bieler et al. 2008: 1, Robinson, 2006: 563). The changing of economic policy, through the “...*integrated global financial market and the deregulation of labour markets*...” (Bieler et al., 2008: 1), has played a considerable role in supporting transnational companies exploit the situation all in the name of profit maximisation at the lowest costs. I would argue that perhaps neo-liberalism did not create the precariat per se. However, it has exacerbated the issue and played a considerable role in the increase of the amount of people who are forced to depend on insecure forms of work as a means of survival.

Munck (2013) is another scholar who is at odd with Standing (2011). He argues that precarity is not a new concept or experience and for this reason, it is not a new threat. In his article entitled: The Precariat: A View from the South, he discusses how the term and the concept emerged all over the world including the global south and he argues the accuracy of deeming precarity a new concept if the condition has characterised the lives of workers in the south to the point that it is natural (Munck, 2013: 747). Munck (2013) is of the opinion that the term ‘precariat’ needs to be reconstructed to match the precarious conditions of the working class.

“...the term ‘precariat’ as currently deployed misunderstands the complexity of class making and remaking and is a dubious political purchase” (Munck, 2013: 751).

Ex-offenders definitely form part of this group of people and turning to crime is a result of trying to manage their precarious identities and can be attributed as a response to the economic system that has forced them into this corner. Standing (2011: 87-88) discusses how offenders become part of the precariat because of their criminal records, and also attributes the growing number of inmates to globalisation. Once a person has been incarcerated and rejected by the labour market due to stigma, they are forced into lives defined by insecure jobs which deny them a chance for a stable living and means of survival (Standing, 2011: 88).

Over and above the contentious meta-theory of 'the precariat', Standing (2011) does manage to set clear parameters which aid in defining who exactly forms part of the precariat and in doing so give us the opportunity to carve out this faction of the working class and clearly define the conditions under which they live.

Standing (2011: 10) elaborates on seven forms of labour market security, namely; **labour market security**: adequate income-earning opportunities, **employment security**: protection against unfair labour practices, **job security**: ability to retain a niche in employment, **work security**: protection against illness and accidents at work as well as compensation in the event of an accident at work, **skill reproduction security**: opportunities to gain and improve skills, **income security**: assurance of an adequate, stable income and **representation security**: possessing a collective voice in the labour market (unions).

This can be used as a check list to distinguish the precariat from other classes or other members of the working class. I would argue that labour market security is the most important because without it one cannot attain the other types of security. Unfortunately, it is also the factor that a job seeker has the least control over and with growing casualization of jobs, and shrinking number of opportunities, the chances of people getting long-term career-building employment is diminishing, especially for ex-offenders as they also have to deal with rejection based on their criminal records.

2.5. Discrimination in the workplace and the labour market: A double jeopardy

Even though there are laws specifically aimed at protecting people against discrimination, it is still an on-going struggle in the workplace. The forms of discrimination which are most focused on in the literature are race, occupational and gender (Barker, 2007, Bhorat et al., 2001, Pager, 2003; Grün 2004; Von Holdt 2005; Webster and Omar, 2003; Weiman, 2007).

In an analysis of the South African labour market, Barker (2007: 230) highlights some theories and models of discrimination in the labour market, namely; *taste-for-discrimination*: employers who use this model are those who claim that they are negatively affected by employing black people and they are willing to pay extra for

the white employees. The only way that these employers will consider black workers is if they accept lower wages and salaries. The reasoning behind this comes from the stereotype that black people are lazy and therefore would be less productive.

The taste model also applies to gender discrimination. These employees believe that women would be less productive because of possible family responsibilities that would get in the way of their work (Barker, 2007; Dobre, 2011). The next theory is about *market imperfections*. In this model, employers use the current labour market conditions to justify their discriminatory acts. Moreover, they believe that a large number of the black population were and are still willing to work in jobs, usually low skilled to semi-skilled, while part of the white population were and are still not willing to do. Therefore, the employer will exploit this desperation and pay these black lower wages and salaries (Barker, 2007: 232).

The third is the *crowding model*: In this model, employers hire white and black people for different jobs so that they are segregated in the workplace. This means that the jobs available to black people will be different to those available for white people. This model is aimed at increasing competition within the black population and in turn decreasing the wage because of the high supply of workers and the low demand for their labour. This also applies to women (Barker, 2007; Dobre, 2011).

Lastly, there is the *transaction costs model*: With this model, employers justify race and gender discrimination by claiming that it would be too expensive to accommodate Black people and women into the work environment (Barker, 2007: 232). Barker (2007) uses the example of the training costs that go into up-skilling black people and how these costs are less for white employees because they are usually more formally qualified and require less training. For women he uses the example of the costs of making mine shafts more accommodative for the special needs of women and also the redesigning of uniforms to cater for women (Barker, 2007: 233). These theories that Barker discusses reiterate the discussion about power that Von Holdt (2005) discusses in his work about the apartheid workplace and its legacy. Power and control in the workplace were and in some situations are still built on race and perceptions thereof.

Another important research project that has been done on the topic of discrimination in the labour market is an American study which was conducted by Pager (2003). Pager (2003) conducted an experimental study where she looked at the hiring process experiences of equally qualified black and white men both with and without criminal records.

This study was aimed at highlighting the racial discrimination of black men when it comes to the hiring process and how this hinders them from access into the labour market. To emphasise her point, she also looked at the discrimination of those with a criminal record (Pager 2003). The most interesting finding was that equally qualified black men, without criminal records were rejected for jobs while their white counterparts with criminal records were hired over them. Her study showed that black men in America who had been in prison were in double jeopardy, being discriminated against based on both their race and their criminal record.

Weiman (2007), on the other hand, uses discrimination because of a criminal record to expose another kind of injustice in the American labour market which is the wage disparity. Weiman's (2007) study, also American, uses the supply and demand of ex-offender labour to explain the current situation of high levels of recidivism (Weiman, 2007: 577). He shows that employers will pay the ex-offenders considerably less, even though they may be qualified for the job just because of their ex-offender status. In addition, Weiman's (2007) study discusses how employers use ex-offender status to control the employee by exploiting their desperation for employment. This echoes the market imperfections theory that Barker (2007: 232) discusses though in a different manner. According to Weiman (2007), race and ethnicity do not play as big a role as the criminal record for employers in the hiring process which is in contrast with what Barker (2007) and Pager (2003) have discussed.

The element of power and how those in power exercise it is important when looking at the chances ex-offenders have in the labour market. As shown in the literature, the power is in the hands of the employer and these power relations between employer and employee are what make up the labour market, especially the private sector. In Jessop's (2006:3) analysis of power according to Foucault, he states that in order to understand these relations we must look at it from the perspective of the object (those being discriminated against) and what happens to them. Understanding

power relations from below can lead to an understanding of structures practicing the domination. Through my research, I intend to gain a better understanding of the inner workings of the South African labour market, those who wield power and what that means for those subjected to that power.

2.6. Employer attitudes towards employing ex-offenders

This theme discusses the demand for ex-offender labour, as well as the power relations between ex-offenders and employers. Because there are laws against ex-offenders working for the government or as public servants, they look to the private sector for employment (Harris & Keller, 2005 & Weiman, 2007). This is true even in South Africa as the research done by Lukas Muntingh (2008) concerning the rehabilitation and reintegration of offenders and ex-offenders respectively. He posits that the ministries responsible for offenders and ex-offenders, namely; the Department of Correctional Services, the office of Social Reintegration and the Department of Labour work with some private companies in addition to non-governmental and non-profit organisations (NGOs and NPOs) to compensate for the fact that they cannot employ these ex-offenders directly (Muntingh, 2008).

Weiman's (2007) study pays attention to this aspect when trying to answer the question of high levels of recidivism in America. In his study, Weiman (2007) shows that the majority of the employers are not willing to employ ex-offenders at all, regardless of the crime or the race, ethnicity or gender. The rest of the employers who would consider employing ex-offenders would do so depending on the crime committed. He found that ex-offenders who have committed non-violent crimes stood more of a chance those who had committed violent crimes (Weiman, 2007:582).

Harris and Keller (2005) look more at the legal aspects of this type of discrimination. In their study, which took place in America, they look at how employers use the law (Title VII of the Civil rights of 1964) to justify and legitimate not hiring ex-offenders. This statute forms part of the right of the employer to enquire about an applicant's possible criminal activity (Harris and Keller, 2005: 7). As with any other piece of legislation, there are boundaries. With the support from Title VII, employers in certain sectors, like the public sector, have the right not to employ people because they have criminal records. Harris and Keller (2005) describe this as a direct form of discrimination. They go on to distinguish this from the indirect forms of discrimination

due to a criminal record by showing how applicants claim that employers use and abuse the law in order not to hire ex-offenders (Harris and Keller, 2005: 9).

According to their study, Harris and Keller (2005: 9) reported that employers will enquire about arrests and previous convictions and use Title VII as a justification to not hire ex-offenders. This is despite the fact that it (Title VII) clearly states that except in special cases, potential employees shall not be discriminated against based on their criminal records. The difficult part is that the onus is on the ex-offender to prove that they have been discriminated against. Part of my research was to find out whether this was the case in the South African context.

2.7. Other issues of reintegration faced by ex-offenders

Aside from the structural discrimination they experience in the labour market, there are other challenges that ex-offenders have to deal with when re-entering the labour market as well as society in general. These challenges often overlap and affect one another. Some of the main difficulties are; *social networks/capital, limited education skills and work experience, health and well-being problems, and impact of return on families and communities.*

2.7.1. Social networks

The problem of social networks can be looked at in two ways, the first being they do not have them when they are seeking employment as described by Holzer (et al. 2003) and Weiman (2007). Networks as described by Smith-Doerr and Powell (2005) are

“...a set of actors with specific types of connections to one another”

Smith-Doerr and Powell 2005: 381).

Smith-Doerr and Powell also characterise networks as;

“...formal exchanges, either in the form of asset pooling or resource provision, between two or more parties that entail on going interaction in order to derive value from exchange...” (2005: 379)

If one applies this to labour market interaction, a job seeker would need to align themselves with people who have access to particular kinds of information

concerning employment which would help them have an advantage on their completion. Networks and social capital are especially important for ex-offenders as they are competing not only with each other but also with those who do not have criminal records and might have more experience in the position. According to both Holzer (2003) and Weiman (2007), many ex-offenders are not aware of the various networks that can assist them in trying to find sustainable employment. Limited information sets them back in the job search and contributes to the stress of job seeking.

The second way takes a look at the networks they do have and how this affects reintegration. Muntingh (2008) has done extensive research on the rehabilitation and reintegration of offenders in South Africa and as part of his research for this particular study which was set in Cape Town. He discusses how their criminal associates serve as a barrier to their successful reintegration. He elaborates on how the temptation of going back to a life of crime paired with the frustration of the reintegration process is an internal conflict that ex-offenders often have to go through. In Muntingh's (2008) research, he found that because more ex-offenders are released back into the environments where they used to commit crimes, those associations and networks are a major reason why these ex-offenders often re-offend (2008: 53).

2.7.2. Limited skills and education

In their article about employment barriers, Holzer et al. (2003) split the discussion in two parts, namely; supply and demand of ex-offender labour. The limited skills and education of these ex-offenders fall under the supply side. In their article, they point out that ex-offenders are usually not well educated and do not possess many marketable skills. They continue to state that their work experience levels are affected by incarceration and upon release are unsatisfactory which contributes negatively to their employability.

Muntingh (2008) echoes this sentiment and shows that the situation in South Africa is similar where ex-offenders usually work in casual labour and that comes with its own set of problems; one of them being job insecurity. However, Muntingh (2008: 40) also mentions how utilising one's time in the correctional facility can be helpful in up-skilling an individual and thus contributing positively to your own reintegration, by taking part in some of the vocational programmes offered to offenders while they are in the correctional facility.

2.7.3. Health and well-being problems

The health and well-being of an offender is always a concern because of the different ways in which they are affected by their time in incarceration (Muntingh, 2008: 50). Furthermore, Muntingh (2008) found that many offenders are anxious about release and whether or not they will be successfully reintegrated and become functioning and productive members of society. Another factor that makes them anxious and sometimes depressed was that they would not be able to find work. All of these brings on a sense of failure for the offender and has a negative effect on their well-being.

One more health problem is alcohol and substance abuse. Offenders and ex-offenders in both the United States and South Africa suffer from these societal ills. Ex-offenders and offenders turn to drugs as a way of dealing with various stresses as well as boredom (Holzer, et al. 2003; Weiman, 2007; Murphy et al 2011; Muntingh, 2008). This serves as a barrier because many offenders who are released on parole have to adhere to certain conditions and this usually includes random drug testing. Even those who are not released on parole have to abide by the law, and the use of illegal drugs can get them back in jail (Holzer et al. 2003; Weiman, 2007; Muntingh, 2008). The use and abuse of drugs and alcohol also affects their chances of employment because employers are very reluctant to hire people with histories of drug and alcohol abuse.

2.7.4. Impact of return on family and the community

This is a critical part of the reintegration process and its importance is the reason why there is a widespread advocacy within literature for a direct involvement of the family in the reintegration process as a support structure of the ex-offender (Maruna and Immarigeon, 2004; Muntingh, 2008; Murphy et al. 2011; Hirschfield and Piquero, 2010; Holzer et al., 2003). Some families are supportive of the ex-offender when they return home and these families' help where they can with the transition back into the community. Unfortunately, others are not and their disinterest has adverse effects on the offender and their efforts to reintegrate. Some of the problems that come with an unsupportive family structure include issues of accommodation, a breakdown in relationships and a lack of financial support (Maruna & Immarigeon, 2004: 29; Muntingh, 2008: 50). The lack of support sometimes comes from a place of distrust and frustration because of how their criminal activities have affected the family unit emotionally and financially.

Murphy et al. (2011), in their article about the perpetual spoiled identity of the ex-offender, discuss how the shame that comes with having a criminal record contributes to some of the reasons why the family would abandon the ex-offender. There are also reservations about safety and fear within the family and the community. Some family and community members may keep their distance from the ex-offender in fear of their safety. This is an example of the stigma staying with you forever even though you have been rehabilitated. The notion that criminals and ex-criminals are dangerous and are bad people is still widely held in many communities, especially those with high levels of crime (Hirschfield and Piquero, 2010; Muntingh, 2008; Murphy et al., 2011; Maruna & Immarigeon, 2004).

In conclusion, the major gap is the lack of literature that focuses on the South African context when it comes to ex-offenders and the labour market. Even though some of these studies can be applied to understand the goings on in South Africa, there is still a need for country-specific case studies to expose the differences and possibly come up with country-specific solutions. I believe that this is where the relevance of my research is shown. Moreover, I want to use the criminal record as a way of understanding some of the indirect ways in which ex-offenders are excluded from

such an important part of social life. In South Africa, as pointed out, the research on discrimination focuses mostly on gender and race given our history.

From the literature, we can tell that there are many issues of access that work against marginalised groups of people in society. Ex-offenders have to deal with having a criminal record on top of being black and/or being a woman. The workplace and the labour market are not evolving in a way that is accommodating for these displaced individuals. Moreover, in the case of ex-offenders, this leads to many other social issues like recidivism, growing unemployment and increased rates of crime. These are the consequences that most, if not all, research use to get the powers that be (governments, policy makers) to take another look at the reintegration process and re-engineer it so that it is effective.

Another shared argument, even though they have been demonstrated in different ways, is that there is a need for more structural and institutional support when it comes to attempting to eradicate discrimination and ease the transition back into the labour market for these ex-offenders. The final sentiment that is widely held is that all can benefit from re-engineering the reintegration process, not only the Department of Correctional Services and ex-offenders but the community as well.

Chapter 3: Methodology

3.1. Introduction

The main aim of the study was to uncover the experiences of ex-offenders in the labour market and the workplace. The supplementary aims entailed gaining an understanding of what employers think and do when it comes hiring ex-offenders and having them as employees respectively. In addition the study sought to have an understanding of the reintegration process from those who are part of its engineering, the non-governmental organisations. Conducting qualitative research was the most appropriate way to undertake this research and to collect quality data. This chapter discusses the methods used to collect and analyse the data, documents the actual experience in the field as well as the ethical considerations and limitations of the study.

3.2. Research Design

The methodology I used was qualitative, specifically *interpretivist* and encompassed the subjective realities and lived experiences of individuals (Guba and Lincoln, 1994: 110). This methodology holds that these realities are relative and are constructed by the individuals who live these experiences. This is relevant for my research because it addresses the main research question, namely: What are the experiences of ex-offenders in the South African labour market? This question is in direct pursuit of these 'relative' realities. Guba and Lincoln (1994) also point out that even though parts of realities may be shared amongst individuals with similar experiences, their construction and cultivation are still dependent on the individual. What this means for my research is that although ex-offenders may share similar experiences, their realities are different and could reveal different aspects of the labour market and struggles of the ex-offender.

The research site was Soweto (Dube and Meadowlands). This was because the key informant and all the other ex-offenders he had put me in touch with reside in this area. This made it easier to contact participants and to meet with them. Having all the ex-offenders in the same area also cut down on travel costs. The research site being Soweto is the reason why the participants were black.

3.2.1. Sampling

The proposed sample was 15 black male non-violent ex-offenders, between the ages of 30 and 35, who have been released for between 5 and 10 years. More specifically, they should include those who have been actively seeking employment and those who have been successful in gaining sustainable employment. However, I was advised to expand my sample and to include the perspectives of NGOs that work with offenders and ex-offenders as well as some employers. Most importantly, these would shed light on some of the sub-questions I had: *What do these experiences tell us about the labour market? And how, if at all, does this experience affect the success or failure of the overall reintegration process?*

The actual sample was 13 black male ex-offenders whose ages ranged from 27-38. I also interviewed one social worker and an advocacy manager from National Institute for Crime Prevention and Reintegration of Offenders (NICRO), one from another non-profit organisation called We Can Change Our World (WCCOW), conducted a focus group discussion with members of the HR department at a property management firm and one executive at a recruitment company. The Non-governmental organisations were selected in order to elaborate on reintegration process and some its challenges. The employers were selected for the purposes of understanding the hiring process and labour market demand.

I chose to interview non-violent ex-offenders because they have a better chance of negotiating access into the labour market (Weiman, 2007), also because their experiences in the labour market and the workplace are deeper and more extensive than those who have committed violent crimes. Non-violent crimes are crimes that do not involve harm or a direct threat to life; these include crimes such as property theft, burglary as well as drug dealing and possession. The key informant interviews were used to elaborate on the circumstances under which ex-offenders may find themselves in the workplace, the labour market and society in general.

With regards to the size, I considered the amount of time and resources that are available to me and I had envisaged that this sample size will enable me to get the amount information I needed to write up a substantial report. The actual size of the

sample was also affected by meeting times and places. Due to work commitments during the week and personal commitment over weekends, I was not able to meet some of the ex-offenders and this made it difficult to schedule time for conducting the interviews.

The sampling method I used was *purposive sampling*. This type of method means specific characteristics that potential participants have in common are used in the selection process (Berg and Lune, 2012: 52). For the population that participated in this study, the common characteristic was the criminal record of a non-violent ex-offender who has been released from prison for at least five years and has been actively seeking employment. This method of sampling makes sense because I am interested in the experiences of these specific individuals.

This method was also used to sample the key informants that I interviewed. Their expertise in the human resources and recruitment industry as well as the reintegration process has contributed to a well-rounded report that presents more than one standpoint on this pertinent issue. As a specific type of purposive sampling, I used *snowball sampling* (May, 2010). With this method, I used social capital to get in touch with people who meet the requirements to be part of my study and to contact them. The advantage of this method is that I was able to get the kind of participants that I need with relative ease considering the time and resource constraints.

The major limitation of snowball sampling was difficulty in maintaining confidentiality as part of adhering to research ethics. The problem was, because of the nature of the method, participants knew that others have participated in the study (Berg and Lune, 2012). However, I do not see this as a significant drawback for this method as it has some positive aspects. I believe that because participants knew each other, it put them at ease and be comforting that someone else that they know has been part of the study. I found that because one participant gave me their stamp of approval, others were more comfortable talking to me, and going into detail when telling their stories.

3.2.2. In-depth interviews

I chose in-depth semi-structured interviews because I wanted to get as much information about the labour market and workplace experiences of the participants and how the challenges of seeking employment have affected their daily lives since their release. This method was also used to interview the key informants in order to gain a full understanding of their expertise and involvement whether it be in the labour market as the employer or in the rehabilitation and reintegration process.

With the semi-structured interview, even though there is an interview schedule, the prompts are not rigid and can change at any time during the interview. For example, if there is something that I would like the participant to elaborate on, I can ask them to do so (May, 2010: 135). The advantage that comes with flexibility is that participants are also allowed to seek clarity about a question and are free to give an in-depth answer as they feel necessary. This adds to the texture of the data collected (Berg & Lune, 2012; May, 2010). The most important advantage of this method is that it seems less like a formal interview and the comfort of the participant increases and they are able to talk freely in a relaxed setting. With these interviews, I compared the success stories of those who have overcome the challenges of being an ex-offender to the experiences of those who are still struggling to find employment.

I also studied what the similarities and differences were in circumstances as well as resources. The point of this was to find out whether or not there was a catalyst only accessible to a certain group of people, find out what this catalyst is and why it is exclusive. This method involved me interviewing people who have been employment since their release from prison for at least a year. The comparisons were done through using the *difference view* approach (May, 2010: 249). This simply means that differences and similarities will be emphasised. One difficulty I had as a researcher was that even though the ex-offenders were willing to participate in the study, some of them were still somewhat weary of how honest they should be in the interview. Some were worried that their stories would be in the media. This was mitigated by the confidentiality and anonymity clause in the participation consent form.

3.2.3. Telephonic Interviews

There were two interviews that were conducted over the phone as these participants were located in Cape Town. This is the main advantage of telephonic interviews because it allows the researcher to engage in an interview of the same structure and quality with people whom one cannot necessarily see in person. This method is also cost effective as I did not need to be in Cape Town to interview these people (May, 2010). One limitation of this method is that one is not able to observe the body language; another disadvantage is that telephonic interviews do not typically last as long as a face-to-face interviews, which may take away from depth of the information (Novick, 2008: 393).

3.2.4. Focus Group discussion

I had planned an interview with one human resources manager at the property management company. However, other members of the department were so interested in the study that we decided to conduct a semi-structured focus group with five participants.

This method was useful in that I got the opportunity to hear what different people in the same department at the same company had to say and how this affected the composition of employees in the company (Babbie, 2013: 349). Another advantage of this method was that it is less like an interview and more of a conversation with the researcher as a facilitator or moderator (Babbie, 2013: 350) and since these group members knew one another, they were quite comfortable to share their thoughts within the group.

A disadvantage of focus groups or group interviews is that the conversation can be dominated by one person and this may intimidate some of the other members of the group (May, 2010). One way to avoid this would be to direct some questions to specific individuals, giving them a chance to speak. With my focus group I did not have this issue because, as previously mentioned, the members are colleagues and familiar with one another and also respectful of the group and allowed everyone a chance to express their viewpoint. Another disadvantage of a focus group is that the researcher might not get information as in depth as a one-on-one interview (Babbie,

2013: 350). This was compensated by a one-on-one in-depth interview with another employer.

3.2.5. Access

The most important issue of access would be getting in contact with ex-offenders and getting their consent for me to interview them and for the to discuss their experiences with me (Berg & Lune, 2012: 90). Access was important because a large part of the research depends on hearing about their experiences first hand. Accessing ex-offenders and convincing them to part of the study is challenging because many offenders are embarrassed about their involvement in crime and the fact they are labelled as offenders (Muntingh, 2008).

The way I mitigated these challenges was through the key participant who put me through to other potential participants from his network. Together with the key informant, I assured the potential participants that the study would not cause any harm for them and none of what they said in the interview would be used against them. Assuring participants of anonymity and confidentiality is important because the more comfortable they were, the more they were willing to share with me. For the key informants, I did not experience much difficulty gaining access other than needing a permission letter from the NICRO Head Office in Cape Town. All the informants were eager to participate and were interested in the study.

3.3. Data Analysis

The data I gathered were organised and analysed by means of thematic analysis. Thematic analysis as an independent qualitative descriptive approach is mainly described as “*a method for identifying, analysing and reporting patterns within data*” (Vaismoradi and Turunen, 2013: 400).

The recorded interviews were grouped and discussed according to themes which covered the intentions of the study and in such a way that I was able to present answers to my research questions in a coherent manner. Some of the major themes that emerged were discrimination and exploitation, alternatives to the formal labour market (precarious work) as well how ex-offenders dealt with the stigma of the criminal record. In the data analysis chapters I discuss the experiences of ex-

offenders who are employed and those who are still looking separately according to the themes that emerged in those discussions.

3.4. Ethical considerations

3.4.1. Confidentiality and anonymity

Even with the consent of the participants, especially the ex-offenders, to take part in the research, there are still issues that surround the protection of their identities and what they have shared. These are issues of confidentiality and anonymity.

Berg and Lune (2012: 93) have distinguished the two concepts in the following way; confidentiality has to do with the protection of the identity of the participant. For example, anything that is said in the interview should not be traceable back to the respondent. This is to ensure that the participant is not put in danger and that their information will not be used against them.

Anonymity is described as “remaining nameless” (Berg & Lune, 2012: 93). This has to do with the protection of the names and other personal information out of the research report or the analysis of the findings. Participants would be weary of this because they might not want people to know that they are involved in such a study as they may be embarrassed of their offender status. Another reason is that people do not want to be implicated if something were to go wrong with the research endeavour. The most common way of ensuring anonymity is using pseudonyms for the participants and to sign the declaration that promises anonymity of all personal information (Berg & Lune, 2012; May, 2010).

3.5. Limitations

One of the limitations of the research was that as previously mentioned because of time and resources constraints, I was not able to conduct research of a larger scale to include the views of the Department of Correctional Services and how their involvement in reintegration has evolved over the years over and above what is documented in the literature. I also believe that the perspectives of labour brokers and casual labour agencies could have benefited the study. Alas, I put it to future research to tackle these limitations.

In conclusion, with regards to the methods that I have chosen, as I mentioned before, I have focused on the perceived and constructed notions of personal realities of ex-offenders to understand how this particular part of social life is experienced. In addition, the chapter explained how data will be obtained to unearth the perspectives and expertise of that part of the labour market and the reintegration process and how these personal perceptions affect what happens in practice as opposed to the parameters of policy.

The way I have conducted my research on discrimination is different to the way those who have theorised about it have executed it. This is ultimately because of the differences in schools of thought on how social life is experienced and researched. In the literature, I noticed that a plethora of empirical formulas were used to explain how discrimination worked and to illustrate its effects and the labour market was used as an objective independent variable (Weiman 2007; Bhorat et al., 2001). However, these authors conceded to the fact that, because of the methods they used, there is some data that could not be quantified and this is with regards to indirect discrimination. Through my research, I attempted to bring to the fore some of this “unquantifiable data” by means of a qualitative approach ultimately filling the gap in the literature.

Chapter 4: The criminal record: a scarlet letter

4.1. Introduction

Five out of thirteen participants had been able to find stable jobs. They all expressed that it was definitely not easy to find these jobs and in most cases they had to go the extra mile not only to get the job but to be taken seriously in the job. Their qualifications can only take them so far. Most of the time, they had to know someone who is willing to vouch for them or someone who is in a position to give them the job.

Some of the jobs might not pay very well but these ex-offenders are glad to have something that will help them stay on the right path and away from crime. Having a job not only means that ex-offenders can earn money and take care of themselves but it also allows them to do something constructive with their time and also takes them away from the criminal company that used to keep (Pager, 2005; Holzer, 2003; Muntingh, 2008). However, being employed does not mean that their struggle is over. Ex-offenders often experience difficulty fitting in the workplace and sometimes by no fault of their own. Because of fear and stigma, ex-offenders are sometimes mistreated, exploited and discriminated against at their jobs by employers and fellow employees. Of the many stories about the workplace I was told, the factors that stood out were how they got the job, their experiences on the job and the how they deal with some of the difficulties they experience.

This chapter documents the workplace experiences of Khomotso, Mike, Neo, Katlego and Brian (pseudonyms). These experiences provide a South African example of David Weiman's (2007) and Holzer et al. (2003, 2006) study on barriers to reintegration, as well as notions of power in the workplace and how it is used and abused to perpetuate the status quo.

Most of the ex-offenders, who are employed now, were employed before they were incarcerated and have some or other qualification including a matric certificate and/or had taken some courses while they were in prison to improve their skills and employability. One sentiment that was shared among them was that while they are at work they feel as though they are under constant surveillance which tends to be uncomfortable but comes with the territory.

4.2. Getting into the labour market: Going above and beyond

Since most of participants had been employed before, they were familiar with the hiring process. However, they were well aware that it would be different once they had gotten out of prison and that they would be faced with a few dilemmas.

Neo is 36 years old and was released from prison in 2008 where he spent five years for housebreaking. Neo went back to former employer to see if he could get his job back as he had a good relationship with his former employer. Unfortunately, he was told that it would not be possible as it goes against company policy. He worked as a sales representative at an electronics store.

“My manager told me his hands are tied and that there was nothing he could do” (Interview 2015).

Going to one's previous employer is not uncommon for people to do once they get out prison, especially if they had good relationships with their superiors and colleagues. However, something that people who are exceedingly optimistic may overlook is that perceptions may have changed and those people may no longer see you as someone with whom they would associate because now you are a possible threat to their well-being. But now that he had been turned down by his previous employer he decided to ask a friend for help. It was about seven months before anything materialised and during this time he had been sitting at home doing nothing. The job could not have come at a better time as his grandmother was threatening to kick him out if he did not get a job. He started out as a dishwasher at a local restaurant and Bed and Breakfast called Wandi's Place and is now working as a bar tender.

Some of the other respondents spoke about how different the interview is when you are an ex-offender. Comparing it to the other interviews they have been to, they found that interviewers are more interested in how you will not cause problem than whether or not you will be able to do the job.

“It was uncomfortable when they were asking about prison, I didn't want to scare them but I had to answer” (Brian Interview 2015).

“It’s really not easy because immediately when people hear the word ex-convict, immediately, there’s a negative perception about you, you see...so it makes people judge you before they get to know you or they know what you’re about”. (Khomotso interview 2015)

When they were asked about their time in prison or about the crimes they had committed, the ex-offenders were afraid that their stories might sink their chance of getting the job so they tried to be as vague as possible. Getting *through* the interview or meeting the employer is more different to getting *to* the interview or meeting stage.

“Finding someone to take a chance on you is also difficult...“You need to make sure you know the right people and make sure guthi (that) they like you, that’s how I got here.” (Mike, Interview 2015)

“As an ex-convict because of your criminal record you won’t be hired anywhere in the government. And when it comes to the private, the private sector, you have to have someone who knows you and who will vouch for you, before you can be even considered.” (Khomotso Interview 2015)

Mike emphasised that even if you are not an offender, it is all about who you know and the connections you have with people if you want to succeed. He continued to talk about the way he used his time in prison to make friends with the social workers and some of the counsellors because he thought they would be his ticket to a good job. Mike is 30 years old and was in prison for eight years for house breaking and was released in 2009. He has no children and lives with his siblings in Soweto. He works as a supervisor and counsellor for people who are being rehabilitated for alcohol and substance abuse.

Khomotso is 33 years old and was arrested when he was eighteen for drug dealing and theft. He spent 10 years in prison and was released in 2010. He said that being in prison for that long as a young person is a difficult experience. The first job he had was while he was in prison. He started out as a volunteer with an NGO that worked with the offenders in prison. It was through the relationships he made with the people from different NGOs that he got the job that he has now.

He currently works as a Wellness Officer and Facilitator at an NGO that helps offenders and ex-offenders deal with some of the difficulties that they face both before and once they have been released from prison. When he was released, one of his friends had organised a job for him at a restaurant as a waiter where he worked for six months.

These two stories are exactly what Shivy et al (2007: 470) are referring to when they speak of the importance of non-criminal networks and how one should use them to their advantage. These networks are the difference between employment and unemployment. These non-criminal social networks do not only help with employment with the reintegration process as a whole as ex-offenders need all the positive support they can get in order to live desistant lives.

There were three ex-offenders that I spoke to (Khomotso, Katlego and Brain) who attribute their success in finding employment and leading positive lives to God and their faith. They were adamant that if it was not for their faith they would not be where they are now.

“When I gave my life to God, that’s when I knew that I will be okay. I had to find this spiritual healing and forgive myself so that I can carry on with my life...and I know I will not go back to prison again because uNkulunkulu (God) is protecting me you see.” (Katlego Interview 2015)

Their faith in God was the reason there were opportunities for them to get jobs and to start their lives on a clean slate. Shivy et al (2007: 472) mention how joining Christian and other religious or spiritual groups while in prison has been known to help keep inmates on the right path and away from crime.

Another known helpful by product of these groups are the credible recommendations and referrals they receive once they are released, proving that these groups are a good way to build up one’s social capital. Katlego told me that he was able to get a job through a member of his congregation who knew a pastor that worked in the prison in which that he was incarcerated. Using the credibility that comes with being a church leader, the pastor was able to convince someone to give this offender a chance. Katlego is 33 years old and was convicted for armed robbery and released in 2009.

He has one child who currently lives with his mother and he works as a telemarketer for a travel agency and as a Sunday school teacher.

Now how does one find the 'right' people? How would one position himself/herself in such a way that relationships yield favourable results? These are some of the considerations preceding becoming part of a network or acquiring social capital. Forming these bonds and relationships is not an easy task but it is possible. It is also possible to be successful without the help of social networks, if one has none, but having access to information and trust, it makes it easier to succeed even for people without criminal records.

From speaking to the ex-offenders, especially those who have not been successful in finding employment, networking and 'selling' or 'promoting' yourself is not something that everybody knows about or perhaps it is not something everybody cares about. But it is clearly something that is very important, especially when you are in a situation where you need a third party to vouch for your rehabilitation and trustworthiness.

4.3. The background check: A scarlet letter

One major worry, of course, is whether or not to reveal the fact that you have been in prison and disclosing the reason for your incarceration. Ex-offenders are always advised not to conceal their criminal records because they will get caught one way or another (Cecelia- NICRO Social Worker 2015). However, even knowing this, some offenders still take the chance and conceal this information thinking that if they reveal that they have been to prison, they will most definitely not get the job.

Brian is 27 years old and was arrested for house breaking and was in prison for three years and released in 2009. He works for a marketing company as a sales assistant. He got the job through a recommendation a friend made to the employer. When I asked whether or not the employer had a problem with him being an ex-offender, he told me that his friend told him he should keep it a secret. He has been working there for almost three years and his employer does not know that he has a criminal record.

"I know that if I tell them I am an ex-con they will fire me. It's too late now I can't say anything...plus now they trust me, if I told them, they would not trust me like they do now." (Interview 2015)

This could not have been an easy decision to make. He is lucky that there were no criminal background checks at the company like there are at most establishments these days. The background check is something that ex-offenders are weary of and for many of them this is the reason why they are honest with their employers. Employers conduct these checks to ensure that the potential employee is not a threat to their business and is as trustworthy as they claim (Murphy et al. 2011; Harris and Keller, 2005).

"Some of these regulations exclude ex-offenders outright and do not require a nexus between the specific professions and the type of offense committed." (Harris and Keller, 2005: 7)

However, the criminal record can be thought of as a double-edged sword. Revealing it could cost you the job and similarly, concealing it and having the background check could also expose you. Either way, the trust is diminished.

The other respondents said that they were very open about their criminal records and believed that hiding it will not help them. They had told themselves that there will be someone who will be willing to look past it and give them jobs.

"I thought about not saying anything and a lot of people told me to keep it quiet, but I knew it would not get me far and I would be worse off if I lied and got caught" (Katlego Interview 2015).

Although, they did express that it was embarrassing to share that they had been to prison especially with talking to former colleagues and employers and that they were afraid of being stigmatised and judged. All of which is confirmed in the literature;

"An electronic scarlet letter plays a significant role in the social emasculation of a labelled criminal offender...the offender is always conscious of his stigmatising label." (Murphy et al. 2011: 112)

Murphy et al (2011: 112) also discuss how ex-offenders have a need to manage their spoiled identity as a means of repairing said identity and revealing this type of information forms part of this management. They go on to explain that the ex-offender needs to control what information is known about him and who knows this information. They should also be prepared for someone from their past sharing information about them. This should be reason enough to be honest about the criminal record.

4.4. Discrimination and exploitation in the workplace

The ex-offenders I interviewed seemed to be happy with their jobs and grateful that they had jobs; their demeanours were very enthusiastic. They were out to prove a point and change people's perceptions about ex-offenders. Some of them told me that they felt as though they have to work twice as hard to show that they are serious about the job and not letting the people who hired them down and those who vouched for them.

"People are afraid to talk to you because you're an ex-con, but as time goes on they get used to you and see that you're such not a bad person." (Mike Interview 2015)

Mike expressed that the first few months are the most difficult, co-workers and employers are uneasy and not sure of how to behave. As time goes on, people are more welcoming as their fears have been put at ease.

"It's as if they have forgotten that I was a criminal, people are much nicer to me now than when I started." (Interview 2015)

Unfortunately, not all ex-offenders fare as well. Neo spoke about how there were some people who felt as though he did not deserve the job because there are many other non-offender jobseekers who are more deserving. He went on to talk about how people would make inappropriate comments about how he just got the job because he has connections and some of his co-workers called him a 'weasel'. In this context, the term weasel refers to a scheming and manipulative person. He said that the most difficult part was that he felt as though he could not do anything about it. He felt helpless because he thought that if he defended himself he would be fired.

As stigmatised members of society who are seen to no longer be worthy of respect, ex-offenders face people in the workplace and in other places who think that they have gone against society's rules and must be ostracised and removed from regular society (Murphy et al., 2011, Hirschfield and Piquero, 2010). Ex-offenders in the workplace, especially those with anger management troubles, think that the only way to keep their jobs and stay out of prison is to take the disrespect and not do anything about it. Sometimes ex-offenders feel as though they deserve to be mistreated and bullied and decide not to take action (Murphy et al., 2011: 112).

Ex-offenders are also discriminated against when it comes to how hard they work and the amount of money they get paid (Weiman, 2007; Holzer et al., 2006). There are clear power dynamics at play in this situation and some employers tend to prey on the desperation of these individuals and use it as an opportunity to get cheap labour (Purser, 2012). I did not discuss the salaries of the men I spoke to. I was not sure if enquiring would be a sign of disrespect. However, there are all sorts of statistics about these people being taken advantage of and exploited because of their desperation.

When I asked some of the interviewees if they thought they were under more pressure to perform and if they were being scrutinised more than their colleagues, they said yes but they do not think it was unfair in anyway. They told me they understood the reasons they were being helped to a different standard and were eager to prove themselves to their employers and co-workers. They went out of their way to make sure that they excel at their jobs so that they could be seen not as an ex-offender but as a committed employee.

"I know why manager gives me a lot of work and expects me to do it perfectly; I can handle it. I know he wants me to fail or to tell him I can't do the job, but that's not going to happen." (Katlego Interview 2015)

It seems as though there are employers who go out of their way to create an unfavourable work circumstances to ensure that ex-offenders fail. This is so that when they fire the ex-offender it is not because of the criminal record but instead because one could not do the job. The respondents are aware and accept that this is what life in the workplace will be like. Even though they may be overworked and overwhelmed, working harder than everyone else is necessary.

“Complaining will leave you with no job, no money and a bad reputation.” (Mike, Interview 2015)

Questions that come to mind are: Is it still ‘unfair treatment’ when the victim welcomes it and it is justified by the word ‘probation’? Is it fair for ex-offenders to be punished in prison and in the workplace? The answers to these questions are simple, yes and no, respectively. These are the subtle forms of discrimination and exploitation that take place in the workplace.

Employers are in a position of power and exercise this power to make sure that ex-offenders are kept in check (Grün, 2004; Weiman, 2007). If we draw on Murphy et al.’s (2011) thinking, ex-offenders are of the opinion that the scarlet letter is well deserved and they should not fight to change to that. Not only do ex-offenders have to work harder than everyone else, they also have to make sure that they are on their best behaviour. Ex-offenders need to make sure that they stay away from confrontation because even when provoked because these incidences could easily get them fired or sent back to prison. Brian spoke about he was once falsely accused of stealing money from a co-workers desk.

“I was even accused of stealing. My colleague came up to me and said give me back my money and I won’t report you. I know you took it from my desk. The matter was reported and the employer told the alleged victim that she cannot make accusations without proof. I had to control my anger; I had to think about what will happen to me if I touch her.” (Interview 2015)

Many ex-offenders I interviewed have temper and anger management issues and had been arrested before for assault. They said the best way to stay out of trouble is to work and mind your own business, but somehow trouble finds you when you are an offender.

4.5. Conclusion

In this chapter, I have documented the experiences of ex-offenders who have managed to find jobs and highlighted the key differences between them and those who are still unemployed which are networks and social capital. Noted and emphasised are the differences in experiences in the labour market and the workplace as well.

This chapter serves as an extension of literature presented by Holzer et al. (2003), David Weiman (2007) and Murphy et al. (2011). Even though these are not a guarantee to getting employment, they are a useful tool to have in one's arsenal when job seeking as an ex-offender. Using these experiences and grounding them in literature, one is able to see the power dynamics that work against ex-offenders in the labour market and show that there are indeed subtle forms of intolerance which have a negative impact on the reintegration attempts of these ex-offenders.

I also discussed their experiences in the workplace and how they have been treated by employers and co-workers and the predicament of whether or not to reveal their offender status and the consequences of their choices. What was fascinating was that they seemed to be fine with being overworked and under-paid because it is better than being unemployed. I somehow see this as a coping mechanism and a way to stay positive and motivated. They believe that things will get better if they keep trying.

However, I believe this forms part of the problem, if ex-offenders are going to be unfairly treated and made to feel like they deserve it, then the exploitation will not stop and negative perceptions about them will not change. If ex-offenders are to change the way people see them then they need to defend their rights as employees, as they are protected by the law. They also need an avenue where they can express their grievances without fear of losing their jobs. In situations like this, a good offense is the best defence.

“Markets are self-reproducing social structures among specific cliques of firms and other actors who evolve roles from observations of each other’s behaviour.” (White 1981: 581)

I find this to be an appropriate description of the labour market. It is through the exchange of information within these relationships that decisions which affect the general public. For jobseekers and employers to succeed, they have to make sure that they are receiving the right information at the right time from the right people (Smith-Doerr and Powell, 2005). Getting into the right circles or cliques is the difficult part because these are usually close knit and exclusive. For ex-offenders, receiving information from credible sources is a considerable advantage as trust of the source may translate into trust of the offender. The results of the study seem to suggest that one is destined to fail without the least bit of social capital and helpful networks. Ex-offenders indeed have to work twice as hard as people who do not have criminal records to be taken seriously in the labour market.

Chapter 5: The wrath of the labour market

5.1. Introduction

More than half of the participants that I interviewed, eight of the 13 have been and are still unemployed since they were released from prison and some have looking for jobs and others have given up. This means that in order to make a living, they are forced to do precarious work around the community. Their experiences have left them discouraged and with this the ever present temptation to do crime is heightened. As is mentioned in the literature, more often than not, offenders and ex-offenders are not particularly skilled and educated, which already puts them at a disadvantage when it comes to seeking employment as they are limited in the jobs and careers they can pursue (Holzer et al., 2001; Weiman 2007; Pager 2003; Peck and Theodore, 2008).

Some of the participants said that they were optimistic about turning their lives around and 'making something of themselves' and 'leading positive lives.' Most importantly, the place to start was to find a job that helped them stay out of trouble and allowed them to contribute in the household instead of just being dependent on parents and grandparents who are struggling enough as it is. However, these positive ambitions are crushed by the reality that people do not believe in them as much as they do themselves and that finding a job is going to be difficult.

In this chapter I will be discussing the stories of seven individuals Bafana, James, Paul, Khumo, Siya, Lesedi and Peter (pseudonyms) and how they responded to the challenges in looking for employment. The three major difficulties that they experienced were rejection, trust and finding alternate ways of making money and the precarity thereof conceptualised by Standing (2011). I will also discuss discrimination and stigmatisation using Pagers (2005) notion of the double jeopardy referred to in the literature review.

5.2. Finding a job is not easy: Experiences looking for employment

The reality that finding a job is not going to be easy is something that ex-offenders are aware of. However, some of the participants did not anticipate how the rejection would make them feel and what it would do to their self-confidence and esteem. Five of eight offenders who are unemployed do not have any formal qualifications, including a matric certificate.

They expressed that not finishing school was considerable mistake on their part and that this may be the reason why they have not been able to find jobs in some instances. Even though some of them have taken part in courses and vocational training programmes while in prison, they are still struggling to find unemployment in those very sectors.

“I have a PDP (public drivers permit) but eish it’s expiring now and still nothing. I went to a course for fitting and setting at Dobsinville College...but no experience.”(Interview 2015)

Peter is 38 years old. He was convicted in 1999 for stealing and was released in 2006. He explained that a PDP is a special drivers’ licence to transport goods. He had worked as a driver for a large retail company delivering goods before he went to prison but now that employers know that he has a criminal record they no longer want to employ him. He lost his job because he was involved in hijacking the truck that belonged to the company for which he used to work.

He said that employers tell him he does not have enough experience. The conundrum now is that one needs a job to gain experience and inevitably needs experience to get a job. Even though this may be true, employers may also use this as an excuse not to hire an offender, especially since it is not impossible to train people in jobs that do not require many skills or specific qualifications (Pager, 2005; Weiman, 2007). He now works as a handy man for some of his neighbours and to get more jobs he asks his customers to recommend him. Some are willing to give him a chance but others will not let him near their houses because they are afraid of him.

Employers do not trust offenders and ex-offenders because they believe that they pose a threat to the working environment and may make other employees uncomfortable (Holzer et al. 2002; Muntingh, 2008; Weiman, 2007).

“...employers can be held liable for the criminal actions of their employees under the theory of negligent hiring...negligence is premised on the idea that one who breaches duty of care to others in an organisation or to the public is legally liable for any damages that result.” (Holzer et al., 2002)

These concerns are valid and should not be undermined or trivialised in any way as there are dire consequences for the employer if the ex-offender re-offends. However, there is more to the disregard of ex-offenders than the legalities and a concern for safety and well-being in the workplace. Moreover, there are ways in which employers can find out whether or not an ex-offender is still a risk yet they chose to ignore this option (This will be discussed in Chapter 7).

5.3. Alternatives outside the formal labour market: Precarious work

Without employment, ex-offenders are forced to find alternatives to make a living. Now how does one make a sustainable living without a steady job? This is an important question and gives insights into how those who have been rejected from the labour market survive. The main challenge with finding alternatives for ex-offenders is that they have to find non-criminal activities. This is a challenge because many expressed that crime was very lucrative. Khumo expressed how he actually quit his job to pursue crime full time as he was more than able to take care of his children and his extended family.

“I was working before, then my friend told me to join them while they were doing crime. After that day I started to get more and more involved and even missing work...I ended up not going to work anymore because I saw that I’m already getting money, why must I go to work?” (Khumo Interview 2015)

Khumo is 29 years old now and was in prison until 2011 for theft. Before he was incarcerated he worked as a Machine Operator at a plant in Krugersdorp. Now that he was trying to turn his life around but was not finding a decent job he spent most of his days drinking at the local tavern. He has now become dependent on his grandmother who receives a government grant which is barely enough for her live on, let alone him and his children.

Having numerous people depending on one breadwinner in a household is not uncommon in South Africa. There are many cases of large families living on social welfare from one or two people in the house or where there is only one person working in the household and the responsibility to take care of everyone falls on them (Mosoetsa, 2011). For many ex-offenders, the reason why they turn to crime is to help take care of their families. For others it is the reality being a burden to an already struggling family unit is what they face when they get out of prison plays a role in the decision to become a criminal (Muntingh, 2008).

Criminal activity as a means of survival outside the formal labour market is itself an insecure living and can be characterised as precarious as described by Standing (2011). Crime is filled with risks that render an insecure and vulnerable type of employment and forms a large part of the informal economy; for example, the drug trade. Criminals are vulnerable not only to the authorities but also to the danger that comes with the territory. The fact that people turn to crime is also, according to Standing (2011: 87), a product of globalisation as there has been an increase in the number of people who have been incarcerated.

One other respondent, Paul, started to reminisce about how he had become an expert in stealing cars. He went as far as telling me how easy it would be for him to steal a car even with a tracking device. He told me that by the time the authorities find the car, he would have already sold it and earned almost R 12 000.

"I am a professional criminal. It was my life. I'm very good at stealing. But eish I don't want to go back to jail, now what will I do to make money?" (Paul, Interview 2015)

How does one go from making thousands of rands at a time, to having nothing? I found this to be the primary concern for these participants. Paul is now 35 years old, was convicted for hijacking and spent seven years in prison. He was released in 2007.

There were two ex-offenders, Siya (34) and Lesedi (35), who had just returned from their temporary jobs before the interviews. They assisted with the removal of waste and rubble at a local construction site and got paid R150 per day. They had been working for three days.

“Now I’m doing this, you see, but I won’t have another job when this one is finished.” (Siya Interview 2015)

“Umsebenzi awukho (there is no work), you see manje (now), we are doing this construction jobs but after that, I will be looking another piece job again. Iyo implio esiphilayo (this is the life we live).” (Lesedi Interview 2015)

This is the constant worry and struggle that they face on a regular basis. The jobs are few and far between. When there is no work for these men, they sit at home doing nothing or they drink at a local tavern, trying to stay away from crime. Before they were incarcerated they stocked shelves at Shoprite but were retrenched. Many of their friends and neighbours were already involved in crime and after not being able to find jobs they decided to join their friends in their house breaking syndicate, and were convicted in 2005 and released 6 years later on parole.

This is a prime example of instability not only in income but life. Standing (2011: 88) talks about how having a criminal record strips you of essential rights and *“condemns you living a precariat existence”*. The criminalised precariat are destined for a life of insecurity in terms of jobs and income and to lead a generally unstable life (Standing, 2011). He also uses the double jeopardy to describe how the criminal record is an added disadvantage and prohibits them from normal participation in society. This is what ex-offenders who are struggling to find jobs are experiencing; a sense of hopelessness. Even though they may have qualifications, it is almost impossible for them to go any further than precarious work.

Bafana is 31 years old and spent most of his adult life in and out of prison for theft and drug dealing. He told me that he cleans dustbins for some of the people in his street after the municipality collects the waste every week. He had been employed after he was released and that was the first job he had ever had.

“I never thought I will work. I was doing one and the same thing, I was...a criminal”. (Bafana Interview 2015)

While he was in prison he had a spiritual awakening and became a Christian. He got involved with the Christian group in prison and the pastor who led the group got him the job at the petrol station. You would think that because the pastor had vouched for him and other former inmates that they would be trusted a little more, but that was not the case. He did not have a good relationship with his supervisor, he was told he had a temper and this resulted in him being dismissed after working there for two years. When I asked about what happened, he told me that he was fired for being rude to a customer.

“The thing is...they were telling us that the customer is always right and most of the customers are disrespectful towards us petrol attendants and I was not happy with that...to them it was like I am a bad influence to my colleagues ‘cause I always stood up for myself.”
(Bafana Interview 2015)

He felt as though they had been looking for a reason to dismiss him because he was a criminal. He was told that he will be ‘put in his place’. There were four other ex-offenders who worked with him at the station, one of whom was promoted and is now a supervisor. This raises an eyebrow because now one cannot help but wonder why he was the only one picked on and taunted.

Even though the dismissal was unfair he accepted that he had been fired and left the job. Employers who hire ex-offenders are always paying close attention to these employees. Moreover, some managers will go out of their way to make sure that ex-offenders are mistreated and because of their desperation for work and fear that anything they say and do can be used against them and send them back to prison, they will not complain (Weiman, 2007).

Breaking the spirit of an ex-offender and 'putting them in their place', happens because people believe that criminals deserve to be punished for the rest of their lives for the crimes that they have committed (Wood, 1992; Murphy et al. 2011; Hirschfield and Piquero, 2010). After Bafana was dismissed, he decided that he cannot work for someone else anymore. He is attempting to go back to school and start his own business. Ex-offenders are often encouraged to start their own businesses because of the difficulty of finding employment.

"...my aim is to create employment opportunities or be a business person not to work for somebody else, because they are taking much of your time and most of them, they are not grateful for what you are doing. They don't look at the good that you are doing but they are looking most of the time at the mistakes that you are doing. That's what I saw, I'm not saying all of these jobs are the same, no, but that made me to decide that I must do something of my own you see...to work for me." (Bafana, Interview 2015)

James is 29 years old and was arrested for drug possession and dealing in 2005. He spent five years in prison and in that time he did a business management course with the hopes of starting his own car repair workshop. Unfortunately, even though he completed the course, he did not receive his certificate and cannot claim the qualification, nor can he get funding for his business. This is one of many examples of the administration problems that ex-offenders faces, which in the end cause problems that have adverse effects. He has been communicating with the Department of Correctional Services for years without any success. He decided to give up and now fixes cars for his friends and people in the community at their homes.

"Being outside is very difficult, sometimes when I'm walking in the street people look at me funny...I can see uguthi (that) they don't trust me, bayangisaba (they are afraid of me)." (James, Interview 2015)

He says he is tired of being reminded that he is an offender and wanted to feel as though if he works for someone his every move will be scrutinised like he is still in prison.

5.4. Discrimination and stigmatisation

The fact there is such high rate of recidivism in South Africa (85-94%) (Macquet 2014) can be significantly attributed to the problematic reintegration process. The labour market operates in such a way that it keeps ex-offenders out with dire repercussions. The rejection and lack of trust are a result of the stigma attached to being an offender and as echoed in the literature, there is a desperate need for a review of the reintegration process (Muntingh, 2008). There are conflicting messages being sent to the ex-offender. On the one hand, they are told that they should learn skills while they are in prison so that they can get jobs on the outside but the messages they are receiving on the outside are that they are not employable and will not be employed because they have a criminal record.

Siya says he was told by an employer that applying is not going to help him because business owners do not want to take the risk of employing people who have committed crimes even if they have been successfully rehabilitated. *“He told me he can’t gamble his business on trusting a criminal”* (Siya Interview 2015). He was applying for a job to be a security guard at a security company.

Pager’s (2003) experiment revealed that black men who have been previously incarcerated are in a terrible position because not only are they discriminated against because they are black but also because they have been to prison as well. She refers to this as a double jeopardy. The methods that I used and the data collected did not reveal any overt racial discrimination. However, given the country’s history, one cannot rule out the possibility of the racial discrimination paired with the stereotypical views of black men including that they are lazy and dangerous individuals by nature. Black male offenders in South Africa are subject to this double jeopardy and by not addressing the problems of reintegration; some of these stereotypes are perpetuated. Ex-offenders will remain a danger to the community and continue to contribute to the growing group of individuals that have given up on looking for jobs not because they are lazy but because society refuses to give them a chance.

Being rejected over and over leaves ex-offenders demotivated and discouraged. It also plays a role in their regression in that they start to believe that all they will forever be is a criminal and people will never accept them. This sadly undoes all that they are taught in the correctional centre. As part of rehabilitation, social workers and psychologists help offenders change their mind-set not only about their environment but also themselves, which helps them to build their self-esteem. However, the rejection from society based on the stigma forces them believe that they are nothing more than deviants (Murphy et al., 2011).

However, this does not mean that the community is to blame or that it is the community's responsibility to make sure that a criminal feels better about himself. It simply suggests that the joint efforts of the community could have an impact on the bigger picture which includes uplifting people so that they do not turn to crime, posing a danger to the community. Being sent to prison is in a sense the society's way of discarding the individual and removing the problem from an otherwise functioning society (Muntingh 2001).

Cases of ex-offenders being discriminated against in the labour market reveal power dynamics and how certain people exploit their power to ensure the status quo. Employers know that in most scenarios they have the upper hand especially in a time where jobs are scarce. Their personal feelings towards offenders influence their decisions not to hire ex-offenders even though the candidate may be qualified for the job.

5.5. Conclusion

This chapter has discussed the experiences of the ex-offenders who have not been fortunate enough to find stable jobs since their release from the correctional facility. The main factors captured were rejection, trust (lack thereof) and how this is as a result of being discriminated against based on the stigma of being an ex-offender. Also included, were some of the alternatives that ex-offenders turn to in order to make a living, take care of themselves and their families.

Ex-offenders are usually left to fend for themselves after they have been released. This has proven to be destructive and caused more harm than good. There is obviously a need to get employers to view the employment of ex-offenders in a different manner to the way they do at the moment. Employment of ex-offenders is more than just a job. It plays a significant role in that person becoming a productive respectable individual in society and also in desistance, which is when offenders no longer commit crimes. The alternatives they engage in outside the formal economy are described as precarious in nature and lack stability. This also means, as pointed out by Standing (2011), that they have low standards of living and the prospect of upward social mobility is diminished.

When it comes to discrimination, some employers exploit their power to keep ex-offenders out of the labour market because of their stigmatised view of offenders. Proving discrimination and foul play is difficult because employers may disguise it by saying that the employee does not have experience. Because the ex-offender is already feeling inferior, they feel as though challenging employers who discriminate against them is futile. With no job, ex-offenders are left with more idle time which is spent loitering and this, more often than not leads them to go back to lives of crime. In addition, this contributes to the labour market disparities this country is faced with; for example, the difference in the level of employment among black men and men of other races.

Chapter 6: The bigger picture: What can be done?

6.1. Introduction

I also had the opportunity to interview three officials from National Institute for Crime Prevention and the Reintegration of Offenders (NICRO), one official from an organisation called We Can Change Our World (WCCOW) as well as an executive at a large recruitment company and conducted a focus group with members of the HR department at a property management firm.

These key informants have particular perspectives on reintegration as well insights about the workings of the labour market. In this chapter, I will be exploring those insights as well as the involvement in reintegration, and then ending the discussion off with what some of the possible solutions for this issue might be. I will be using the concept of restorative justice to elaborate on some of the responses from the participants from the NGOs and the insights of the employers will be discussed within the parameters of work on employer attitudes done by Holzer, Raphael and Stoll (2002).

The officials that work for these NGOs advocate for the reformation of the reintegration process and emphasised the importance of treating ex-offenders like members of regular society and the benefits of this. Advocates of this nature are important as they serve as the middle man between offenders and the labour market and are very useful to both parties. Employers can depend on these organisations to give them useful information about how can get involved with and assist ex-offenders with employment. These organisations use multiple programmes to help offenders and ex-offenders with reintegration.

6.2. Non-governmental organisations in the reintegration process

I spoke to Gwen, a social worker from NICRO, whose work focuses on getting offenders ready to be released but also works with ex-offenders and their various needs. Pre-release programmes revolve around ensuring that the transition from prison to community goes as smooth as possible. However, NICRO's work goes beyond reintegration in that their focus extends to the root causes of crime and how to deal with punishment in such a way that incarceration is not the immediate

response for all crimes and offenders from the justice system. For example, their campaigns provide alternatives to prison time as well as on-going advocacy pertaining to legislation affecting prisoners, to name a couple.

As part of the pre-release and rehabilitation programmes, NICRO puts the concept of restorative justice into practice. Restorative justice is described as “*repairing the harm or healing the wounds caused by crime*” (Bazemore and Erbe, 2004: 29). This process involves a victim/offender dialogue where, if the victim and/or the victim’s family agrees, the offender is allowed an opportunity to apologise and “*make things right*” (Bazemore and Erbe, 2004: 29) with these victims and the community.

The concept of restorative justice is important because it allows the both the offender and the victim closure, albeit a difficult process for all parties involved. It also helps the offender come to terms with the effect that their crimes had on the victims as well as the community and in the transition from prison back to the community (Herbig and Hesselink, 2012: 33).

When it comes to labour market reintegration, NICRO has multiple programmes including job readiness programmes that prepare ex-offenders for the labour market and the workplace. They get an opportunity to work on their CVs and prepare for interviews. I was also told about the Giving Hope Project which is aimed at encouraging employers to employ ex-offenders and build a bridge between the labour market and the ex-offender. With this project NICRO served as a credible recruitment service of sorts in that if a company was willing to be part of the programme, NICRO would supply them with trustworthy rehabilitated ex-offenders as potential employees. Unfortunately, it has not worked well as planned because of logistical issues.

However, there are plans to launch a larger project together with other NGOs. This larger project is also aimed at the employer, to examine policies that purposefully exclude ex-offenders and attempt to reform these and to foster a relationship that is beneficial for all stakeholders. At WCCOW, the focus is on campaigning for ex-offenders to be employed. They work with employers directly, challenging the motivation of their policies which reject ex-offenders without allowing them a fair chance at employment. Unemployment is seen as a significant obstacle in reintegration especially being that employment is a means to survive and this is why

companies like NICRO and WCCOW advocate for the rights of ex-offenders to be employed and challenge some of the unfair policies that prevent ex-offenders from being employed. One thing that Claire from WCCOW mentioned was the initiative on the part of offender and ex-offender.

“If ex-offenders do not take responsibility then they’re never going to get anywhere; they’re going to stay with the gangs and all that” (Interview 2016).

Showing the initiative to change one’s life and consciously distance themselves from the life of crime is imperative for successful reintegration because all the advocacy is useless if these ex-offenders do not take responsibility for their lives and the choices they make. An offender taking part in restorative justice is a good way to take responsibility and a step in the right direction when it comes to reintegration.

“If the people in corporate do not employ them, they’re more likely to go back to crime for survival; so, what we try and do is change the whole perception of the ex-offenders and convincing employers to give these people a second chance” (Claire Interview 2016).

Getting employers involved in the reintegration process is crucial especially in this climate, where they hold most of the power in the labour market when it comes to who is allowed in and who is not.

6.3. Challenges working with offenders and ex-offenders and employers

There are multiple challenges when working with offender and ex-offenders. Gwen, one of the officials I spoke to at NICRO, explained how many offenders are not ready to face their lives on the outside and feel as though they have nothing to go home to. She says that accommodation is also a big challenge for them as many of them are shunned by their family and friends.

“...one offender said to me, mama I can’t leave here, I don’t have a place to stay and my family doesn’t want me in the house. If they release me I will even kill a person so that I can get a longer sentence.” (Gwen Interview 2016)

Sometimes the offender would opt to stay in prison than to be released as they are faced with a hopeless situation. This is where NICROs work becomes invaluable. The social workers at NICRO through their pre-release support try and help these offenders find accommodation and sometimes even employment. In coordination with the community corrections department, NICRO maintains a database of names and information of ex-offenders who are unemployed and are looking for jobs. These pre-release programmes that are administered by a NGO are verification that the policy reforms that the Department of Correctional Services (2008) put in place on the 1990s are failing at the implementation level. If they were working, there would not be a need for pre-release preparation programmes over and above the ones the department has committed to in the National Crime Prevention Strategy and the Correctional Services Act no. 111 of 1998 (Department of Correctional Services 2008)

Employers who are looking for candidates will contact NICRO and these potential employees will be notified. It seems as though these jobs tend to be short-term but a step in the right direction nonetheless. An advantage for employers using this avenue is that they receive information that tells them whether or not the ex-offender is a high, medium or low risk. This scale is used to determine how much of a danger the ex-offender still poses, based on the rehabilitation report in coherence with the crime committed from the correctional facility. She stated that there are employers willing to hire ex-offenders but it is a small group.

One method that they use at NICRO to facilitate transition back into the community is to engage the community, try to break the stereotypes and stigma by invoking a conversation with them. This makes communities better prepared for the release of an offender. Another challenge is the alcohol and substance abuse which plays a role in them getting re-arrested.

“There is no way to make sure that an offender who is an addict will not use drugs again because they feel depressed about their situation we assist as far as we can...it is important for these people to know that they can rely on NICRO so that they can trust us to help them.” (Gwen Interview 2016)

Claire, the respondent from WCCOW, emphasised the responsibilities of the ex-offender. She echoed the point made by the NICRO respondent that most of the time, ex-offenders are not ready for the outside world. So, even if there are employers willing to hire them, they have not been entirely rehabilitated. The big challenge with employers is how to get them to have an open mind about hiring ex-offenders.

“...There are so many people without criminal records looking for a job and when out there lobbying, we come into contact with these kinds of attitudes and I mean it’s understandable...but on the other hand, we need to break the cycle of crime...and if the opportunities to turn their lives around fail, they are definitely going to go back to crime” (Shirley interview 2016).

When the community is not supportive of some of the initiatives for ex-offenders, it makes it difficult to initiate a dialogue because of the notion that criminals do not deserve anything especially employment which is a highly sought after commodity. If the community is unwilling and abrasive then restorative justice cannot work and the goal of decreasing stigmatisation cannot be achieved. Shirley continues to talk about how the main aim is to break the cycle of crime and create other avenues for people to survive and support their families. This applies not only to offenders and ex-offenders but the communities where these offenders come from as well because to a certain extent they are products of their environment. Therefore, if the environment is better, the people will be better. This means that having positive influences in the community will help influence the ex-offender in a positive manner.

6.4. Why should I hire an ex-offender?: Employers’ perspectives

As noted in the literature and reaffirmed by the interviews I conducted, employers definitely have some reservations about employing ex-offenders and having ex-offenders in the workplace. My aim with these interviews was to find out what these reservations were and under what circumstances an ex-offender would be employed in their workplaces. Since the unemployment rate in South Africa is so high and jobs are scarce, the scale is tipped in favour of the employer. Calvin said this:

“If I had two CVs in front of me and one applicant was an offender and the other was not, I guarantee you I would choose the non-offender.”
(Focus group interview 2016).

Ex-offenders are competing with people without criminal records, and this particular participant is of the opinion that someone without a criminal record may be more deserving of the job.

“If you look the traditional blue collar space, there is an oversupply of resources...let’s say the guy has a criminal record, maybe the client will employ him as a packer in a warehouse, but if they stole how can they do that.” (Joanne interview 2016)

In as much as employers would want to hire an ex-offender because they may sympathise with their situation, they do not think it will be worth risking the company’s reputation over. Holzer et al. (2002) discuss some of the reasons why employers are reluctant to hire ex-offenders and one of them is negligent hiring and the consequences thereof. Employers are putting themselves at risk of being guilty of this if they expose their staff and clients or customers to *“potentially dangerous individuals”* (Holzer et al. 2002: 4) A lack of trust is also another reason why employers would opt for a non-offender.

“It really boils down to the crime they committed and the position they’re applying for and how much of a risk they may pose to the business...I don’t think I could make a moral decision so a logical business decision would make more sense” (Emily focus group interview 2016).

“These guys would take up much of my time. I might have to babysit them because I might not trust them” (Interview 2016).

Joanne mentioned this because she was comparing interns and other newly qualified employees and how they would need less supervision than someone who is an ex-offender who has to be watched all the time to make sure they are not committing any crimes. She also mentioned how this would undoubtedly make the employee feel uncomfortable which would render an unproductive and inharmonious working environment for other employees as well as that they would not be comfortable around an ex-offender in the workplace.

This is something that some of the ex-offenders I interviewed can identify with. This is the sentiment for many reasons chief among them being risk.

“I mean a new employee is already sort of a risk, because you never know what they might do but someone who you know has committed a crime is a double risk.” (Karen Focus group interview 2016)

There is a fear that the ex-offender may re-offend and adversely affect the business. So, even if the ex-offender has been fully rehabilitated, employers are not willing to take that chance. The property management company does not have explicit policy against hiring ex-offenders and the recruitment company does.

According to Holzer et al. (2002), employers who do not have policies against hiring ex-offenders are more likely to employ ex-offenders, depending on the industry. This company is an example of an industry where despite the policy or lack thereof, in practice ex-offenders would not be well suited for most of the positions in the company. Because there are still some companies that do not do criminal background checks, ex-offenders are still willing to take a chance and hide the fact that they been to prison and in some instances get away with it. However, how do the ex-offenders account for that time they spent in prison on their CV or in an interview? Emily had this to say about employment gaps;

“If we see a CV with an employment gap, it gets tossed to the side, regardless of whether that applicant is an offender” (Focus group interview 2016).

Many companies turn people away because they have employment gaps in their experience. This gap could be for a number of reasons including retrenchment, family commitments, pregnancy and child birth as well as incarceration. But if the reasons are not clearly stated on the CV and sometimes even if they are, applicants do not even get to the interview stage. This happens to many ex-offenders, especially those who have been in jail for a long period of time (Holzer et al. 2002; Weiman, 2007).

The recruitment company performs rigorous background checks which include criminal record checks. This is important as their reputation depends on them finding the best candidates for their clients. Sending someone with a criminal record is a risk because if that person re-offends, it could have dire consequences for future business. Companies like this are the reason why ex-offenders are encouraged not to conceal or lie about their criminal record because it sends a message that the ex-offender is even less trustworthy.

6.5. What can be done?

A consensus among these NGOs is that all stakeholders involved with offenders and ex-offenders need to take a proactive role in reforming the reintegration process. Changing the way society views and deals with offenders and ex-offenders is a priority and is the key to successfully reintegrating these individuals back into their communities and the labour market. I agree that without the support of the employers, reintegration into the labour market remains an unattainable goal.

I mentioned some of the plans that NICRO has to assist ex-offenders and also some of the programmes that are already in place and asked under what circumstances they would be willing to participate in these programmes and the responses were not surprising. In my focus group discussion Karen said:

“There would need to be some sort of incentive...like with the internships, that would at least encourage businesses to participate.” (Focus group interview 2016.

The government offers companies a tax rebate if they employ interns and young graduates in their establishments. This was done to encourage employers to employ young people and train them as there is a growing group of unemployed graduates and matriculates. During the focus group interview, it seemed as though they would be willing to participate but there were conditions. An incentive was one of the conditions was that it would have to be a position where the ex-offender will not interact with clients or be exposed to money. Also, since internships and learnerships are temporary contract-based jobs with no guarantee of permanent placement, one can assume that the chances of these ex-offenders being placed permanently are slim based on the overall reluctance.

Calvin, a participant in the focus group discussion said

“My question is how would you even motivate such a programme to the company CEO?” (Calvin Focus group interview 2016)

The concern is that how would one get senior management, the people whose primary concerns are profit and cost, to buy into a programme like this. One possible answer is that it can be done as part of the company's corporate social investment. However, these are usually short-term and this issue needs a long standing result. This is a valid concern and shows how difficult a task NICRO and WCCOW have taken on with advocacy and lobbying.

Joanne, the recruitment company executive, sympathises with these ex-offenders and unemployed people in general and getting involved with NICRO, allowing ex-offenders to get some work experience is a good idea, in theory.

“You know if there was an incentive from the government like a tax break or whatever, maybe we could consider an ex-offender internship or learnership programme...but I mean we get a tax rebate for the regular interns without criminal records and if I had a choice between the ex-offenders and the young non-offender interns who would I choose?...I would go for the younger guys, because I know they're qualified and eager and also I won't have to watch over them because I'll be able to trust them.” (Joanne Interview 2016)

What was interesting about employers suggesting a possible mutually beneficial collaboration with the Department of Correctional Services and the government was that I did not come across such considerations in the literature.

6.6. Conclusion

This chapter has dealt with the points of view of two prominent NGOs that are involved with offenders and ex-offenders in different ways. It is clear that these types of organisations are necessary as they serve as a catalyst in connecting ex-offenders to their communities and more importantly, the employers. These types of organisations also illustrate the importance of restorative justice and how this aids in reintegration as well as breaking the cycle of crime. One important factor argued in this chapter is the need for collaboration among government departments, NGOs and the community itself. Through changing the way we think about deviants, destigmatisation is a goal that can be achieved.

Also discussed, there were some perspectives that employers and human resource managers have when it comes to employing people with a criminal record and what it would take for them to employ ex-offenders. It is not surprising that employers would be sceptical and worried about what employing an ex-offender would mean for their bottom line which confirms what Holzer et al. (2002) discuss about the demand for ex-offender labour or lack thereof. The reservations that employers have when it comes to hiring ex-offenders are reiterated in the literature. Nevertheless, the fact that there are some employers who would be willing to work with organisation like NICRO albeit with all the conditions is promising.

These employers' perspectives highlight something critical which is power and how supply and demand of labour and jobs can affect who has the power in the labour market. It reaffirms the fact that the labour market is not an institution that stands on its own. It is a space where some are in a better bargaining position than others and it so happens that even though artisanal skills are in demand and most ex-offenders have these skills, they are still disadvantaged because of the criminal record.

Chapter 7: Conclusions and Recommendations for future research

This study has explored and examined the experiences of ex-offenders in the labour market and in the workplace as well as how they respond and adapt to the various challenges confronting them. The literature review has provided a base upon which the data were analysed. The experiences of those ex-offenders who have not been able to find jobs, being black men, have confirmed that South African ex-offenders indeed suffer from the double jeopardy to which Pager (2003) refers. By use of the qualitative in-depth interviews, the study has been able to uncover and properly capture the lived experiences of these men who have been marginalised.

These experiences have also illustrated how one's surroundings play a role in the path that one takes and how these surroundings affect their decisions to participate or desist from criminal activity. Peer pressure and pressure to 'be a man' and provide are a constant struggle for ex-offenders and they constantly have to manage these pressures, which is a difficult task especially when crime is so lucrative. Also discussed is the ways in which ex-offenders respond to being rejected by labour market by means of precarious labour or going back to crime as well as how they respond to discrimination in the workplace. Standing's (2011) notion of the precariat, albeit surrounded by contention, has cemented the fact that the criminalised precariat exist and are growing concern in society as they are stripped of the life chances other members of society have. On the other hand, Muntingh (2001) reveals that it would be foolish to just assume that offenders had the same life chances and that their lives were precarious to begin with and remain so.

Being released from prison should mean that you have now paid your debt to society, but because of stigmatisation, this is not the case. The fact that ex-offenders are bullied in the workplace and are shunned by their communities reiterates the notion that the punishment never ends and reinforces the need for restorative justice as a way of de-stigmatising ex-offenders (Murphy et al. 2011; Muntingh, 2001; 2008; Bazemore and Erbe, 2004).

What the experiences of those ex-offenders who have found jobs also exposed to was that they have to go above and beyond not only to get the jobs by means of social capital and networks but also to be taken seriously as an employee who deserves to be treated as such. Chapter Four also shows how powerless ex-offenders are in the workplace and how they feel as though they deserve it, which is a clear confirmation of “*social emasculation*” in the workplace as conceptualised by Murphy et al. (2011).

The study has also discussed how the South African labour market works against those who are deemed not fit to participate by the powers that be. The perspectives of employers on hiring ex-offenders have not only illustrated the definite power imbalances that we find in the labour market but also how these power dynamics affect and have the potential to decide one’s future and destiny. There is an extreme emphasis on employment being a requisite to living a ‘normal’ life and being a constructive member of society. This is probably a significant part of the reason why reintegration depends so considerably on an ex-offender finding a job. The focus group with the human resource department was able to showcase the differences in opinion that people of the same company with autonomy have. It showed that even though one human resource manager may be against hiring ex-offenders another may be open to the possibility.

One of the recommendations for future researchers I would make includes the exploration of how the Department of Correctional Services and the justice system have modified punishment procedures in such a way that they reflect a society that seeks to rehabilitate instead of punish offenders.

Secondly, it would be useful to do research on the reintegration of female offenders as there has not been more emphasis on the double jeopardy that women offenders face.

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PARTICIPANT INFORMATION SHEET

Dear Participant,

My name is Nkululeko Dlamini, I am a registered Masters student at the University of the Witwatersrand in the Department of Sociology. I am conducting research on discrimination in the labour market and how it is experienced by ex-offenders. My main research question is; *What are experiences of ex-offenders as the attempt to re-enter the South African labour market?* The research is aimed at gaining an in-depth understanding of the ways in which having a criminal record affects how ex-offenders negotiate access to employment.

I would like for you to participate in this research because of your experiences as an ex-offender/ your involvement in the reintegration process/ your position as an employer in the labour market. This will be an in-depth semi-structured interview and if need be, a shorter follow up interview may be conducted.

Please understand that your participation is **voluntary** and you are not being forced to part take in the study. The choice of whether or not you participate is yours. If you choose to participate, you are welcome to withdraw at any time and there will not be any negative consequences for you. Should you choose not to take part in the research, you will not be affected in any way.

I would also like your permission to record the interview for an insurance of accuracy pertaining to what is said during the interview. Your interview will be stored electronically on a password protected computer that only I have access to. It will be used purely for academic purposes for the requirements of the degree and possibly for future academic endeavours. Your identity will be concealed and protected at all times, I will not record your name anywhere and no one will be able to connect you to the interview in any way. All of what you say in the interview will be linked to a pseudonym (another name) and I will refer you by this pseudonym in any analysis or reporting of this data, now and in the future.

There are no immediate benefits for you if you participate in this study and there will be no compensation of any form for participation. The research report will be stored in the University's library and will be available on the website as well.

Should you have any questions or queries, please feel free to contact either myself or my supervisor Dr Sarah Mosoetsa (sarah.mosoetsa@wits.ac.za).

Kind regards,

Nkululeko Dlamini

PARTICIPANT CONSENT FORM

Title of Study: *The Reintegration of ex-offenders into the South African Labour Market*

I, _____ hereby consent to participating in research on the experiences of ex-offenders in the South African labour market. I understand that I am participating freely and without being forced to do so. I also understand that I can stop participating at any time should I wish not to continue and this will not affect me adversely. I understand and accept that this study will not benefit me personally and/or financially.

Signature of Participant

Date

CONSENT FOR AUDIO RECORDING

I also understand that the interview will be audio recorded and I acknowledge that my name and all other personal information regarding my identity will remain confidential and anonymous. I hereby agree to the audio recording of my participation in the study.

Signature of Participant

Date

LIST OF PARTICIPANTS

Name (pseudonyms)	Gender	Age	Employed	Place of Interview
Ex-offenders				
Bafana	MALE	31	No	Meadowlands, Soweto
Khomotso	MALE	33	Yes	Meadowlands, Soweto
Paul	MALE	35	No	Dube, Soweto
Khumo	MALE	29	No	Dube, Soweto
Siya	MALE	34	No	Dube, Soweto
Lesedi	MALE	35	No	Dube, Soweto
Peter	MALE	38	No	Dube, Soweto
James	MALE	29	No	Dube, Soweto
Mike	MALE	36	Yes	Jabulani Mall, Soweto
Katlego	MALE	33	Yes	Jabulani Mall, Soweto
Neo	MALE	30	Yes	Jabulani Mall, Soweto
Brian	MALE	27	Yes	Zola ext 1, Soweto
Key Informants				
Claire (We can Change our world)	FEMALE			Telephonic Interview, based in Cape Town
Christina (NICRO)	FEMALE			Mofolo, Soweto
Gwen (NICRO)	FEMALE			Mofolo, Soweto
Shirley (NICRO)	FEMALE			Telephonic Interview, based in Cape Town
Emily (JHI Properties)	FEMALE			Hyde Park, Johannesburg
Joanne (Adcorp Ltd)	FEMALE			Bryanston, Johannesburg
Calvin (JHI Properties)	MALE			Hyde Park, Johannesburg
Karen (JHI Properties)	FEMALE			Hyde Park, Johannesburg

INTERVIEW SCHEDULE (Ex-offenders)

1. What are some of the difficulties that you have experienced since you were released?
2. Tell me about the community to come from?
3. What lead you to a life of crime?
4. What kind of job did you have before you went to prison? (if you were employed)
5. Do you have a job now? If so what do you do? If not what how do you make a living?
6. How did you find the job you have now?
7. What have been your experiences when looking for a job?
8. How do you feel about telling possible employers that you have a criminal record?
9. What are some of the reactions you get when you tell people that you have been to prison?
10. Have you received any assistance in terms of looking for employment?
11. Would you say that the rehabilitation system in the correctional facility is helpful in giving you the tools you need to stay away from crime?
12. How you do deal with the temptation to go back to crime?
13. Are there any skills that you learned while you in the correctional facility that helped find you a job?

INTERVIEW SCHEDULE (NGOs)

1. May you please tell about your organisation and the role that you play?
2. How does one get involved in the organisation?
3. Do you offer opportunities for ex-offenders to improve their skills?
4. Do you match labour market demand with skills supply?
5. What are some of the challenges you experience in the assistance you give?
6. What are some of the employer attitudes to hiring ex-offenders that you have encountered?
7. What are some of the challenges you experience when working with ex-offenders?

8. What are some of your thoughts on what can be done to improve labour market reintegration?

INTERVIEW SCHEDULE (Employers)

1. How long have you been involved in HR and/or recruitment?
2. What is the company policy when it comes to hiring ex-offenders or employees with criminal records?
3. Does the company perform background and criminal history checks?
4. How does a criminal record affect ones chances of being hired?
5. Under what circumstances would you hire an ex-offender?
6. Are there any ex-offenders employed in the company at the moment?
7. What are some of your thoughts on labour market discrimination of ex-offenders?
8. What are some of your thoughts on how employers could assist or get involved in labour market reintegration and reintegration in general?