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Why is it so difficult to find a job after serving a prison sentence?

(A qualitative study of employers' perception of hiring ex-offenders)

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Abstract

Background: Ex-offender employability is a complex topic with numerous points of view. Nevertheless, the notion that ex-offenders should be offered all the necessary help to be reintegrated into society is highly supported by academics and the general society too. There is evidence that ex-offenders who are not able to find a job are more likely to re-offend. However, on many occasions, these attempts fail due to numerous different reasons. This research aims to discover what is the experience of hiring an ex-offender like and what are the most common pitfalls of ex-offender employability. Lastly, to identify future implications to improve the situation.

Method: Qualitative research adopting semi-structured interviews with 6 employers of numerous different businesses, with the hope of gaining their perspective on the given subject. Gaining a better understanding and making use of the obtained data. The interviews were coded using NVIVO software.

Results: The study identified multiple themes, including stigma, dehumanization towards ex-offender. The outcomes of ex-offender employability were mostly positively rated with the exception of altercations within the employment or the threat of reputational damage that hiring an ex-offender might bring to the employer. Lastly, the employers have identified future implications which they believed would serve to be beneficial in the aspect of ex-offender employability.

Conclusion: This research has proven that issues of stigma and stereotypical views are still present in contemporary society and people are being denied important opportunities such as work placements based on people's stereotypical views and misperceptions. Moreover, it has shown what benefits are connected with employing and ex-offender as well as listed a few implications which would serve beneficial in this field. More research into people's perceptions on this issue as well as the media coverage it receives is essential moving forward.

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Introduction

A significant number of people is released from prisons every year and many more sentenced by the courts are given non-custodial sentences. More than 1.2 million people were dealt with by The Criminal Justice System of England and Wales in the period of one year ending in September 2020 (Ministry of Justice, 2021). Some of these people are then given a criminal record that will stay with them for a significant amount of their lives, depending on the severity and the nature of the crime committed. However, what all these people have in common is being labelled as 'criminal', 'deviant' or other variations of a similar label (Becker, 1963). This labelling comes with a level of societal rejection and stigma. Potentially leading to an undesirable position in many aspects of social functioning from housing, insurance or the job market (Goffman, 1961, 1963; Albright and Denq, 1996; Moore, Tangney and Stuewig, 2016; Eryılmaz, 2018). Research in the field provides sufficient evidence to suggest that is true and happening to this day. Despite the early theories dating back to the 1950s (Lemert, 1951, 1967).

This research pays special attention to the employability of ex-offenders, exploring the boundaries ex-offenders face in the job market and trying to learn more about the possible explanations as to why is it as difficult for these people as it currently is. What the main reasons for not employing somebody with a criminal record are and where do these reservations come from. For this reason, the employers were chosen as the sample to answer the questions. Purposive sampling has been deployed and therefore, some of them were chosen due to their deliberate attempt to provide chances for ex-offenders, while others were chosen due to their abundant experience in this field or representing a major employer within the United Kingdom. In addition to understanding the issue, this research attempts to fill a gap in the literature which concerns itself with quantitative narratives of people working in this field to get the best possible understanding of the issue discussed. In an attempt to do so, 6 semi-structured interviews were conducted with professionals in the field. The gathered data will be transcribed and subsequently be subjected to an analysis adopting the grounded theory. Lastly, this research will make implications both for future policies and changes as well as future research in the field which the researcher considers having a potential to be beneficial to the field of criminology as well as the topic of this research, ex-offenders.

Literature Review

Ex-Offenders

More than 79 000 people are currently serving their custodial sentence in England and Wales (Ministry of Justice, 2020b). More than 62 000 people were released between April 2019 and March 2020 (Ministry of Justice, 2020c). Following their release, these people face numerous challenges in an attempt to reintegrate into the community. The rehabilitation begins within the correctional facility which attempts to punish as well as to rehabilitate to keep the community safe (Her Majesty's Prison & Probation Service, 2020). However, Goffman (1961) suggests that people who are placed into prisons begin a completely new life in custody, with little to no chance of developing transferrable skills for their life outside. Along with the process of deterrence and rehabilitation, these institutions impose mortifying and devaluating punishments which can lead to losing inmates' identity from the previous life on the outside (Goffman, 1961).

Goffman (1961) claims that there is an overlap between life in prison and life in mental hospitals, boarding camps, orphanages as well as concentration camps. He refers to them as 'total institutions', which are places that become a residence of a large number of similarly situated people cut off from the community outside of the institution (Goffman, 1961). Ex-prisoners face numerous challenges after release, connected with developing a sense of hostility and criticism towards the society due to the chronic process of alienation from the outer world (Goffman, 1961). The painful and shameful punishments may provoke anger and disapproval towards the society outside the institution and can be one of the factors which contribute to future re-offending (Benson *et al.*, 2011).

The process of rehabilitation is a normative process that seeks to offer the offender a respectful living and ensure a transfer from the correctional facility into society. Resources and opportunities must be given to these people to achieve their reintegration (Fortune, Ward and Willis, 2012). In England and Wales, there are special accredited behaviour programmes that are focused on the prevention of reoffending, mostly targeting aggressive behaviour and substance misuse related crimes, juvenile offenders, sexual offences and domestic violence.

These programmes aim to decrease the offending rates and rehabilitate the offenders (Ministry of Justice, 2013b). However, it is apparent that the rehabilitative efforts are not enough to make the community safe and avoid reoffending without a sufficient level of deterrence. One of the weaknesses of rehabilitation is the failure of the criminal justice system to perceive the perpetrators as responsible for their actions, instead, they are treated as 'patients' who are not to be blamed for their actions (Howard, 2017). Rehabilitation theories remain one of the most influential viewpoints on dealing with crime and offenders, nevertheless, on many occasions, the idea behind it is lost due to a lack of proper definition, aim and formulation. The terms 'reform' or 'rehabilitation' are vague and ambiguous, especially when dealing with issues of reintegrating offenders into society (Forsberg and Douglas, 2020).

 Despite this unitary goal to reintegrate and rehabilitate the ex-offenders, a significant number of practices used in contemporary penology function contrary to the beliefs congruent with the rehabilitation model (Vuk *et al.*, 2020). Not only the criminal justice system works on both rehabilitation and punishment/deterrence models which are opposing each other, but also society shifts its beliefs depending on the situation, and the severity of the crime (Bastian, Denson and Haslam, 2013; Vuk *et al.*, 2020). Fear of crime usually induces people to embrace harder punishments (Applegate, Cullen and Fisher, 2002; Moss *et al.*, 2019). Some of the harsh measures mentioned take place when entering the correctional facility, they are stripped of their rights, dignity and they must follow the internal rules of the institution and adapt their lives accordingly, to earn rewards, which for a person outside of this facility seems trivial and insignificant (Goffman, 1961). They also must avoid punishment, which is utilized as a measure of ensuring obedience of the institution's rules (Goffman, 1961), that would only be imposed upon animals in the outside world. For example withdrawing the basic human rights when the inmate shows disobedience of the internal rules (Goffman, 1961; Morin, 2016; Deska, Almaraz and Hugenberg, 2020).

Upon the release, they face release anxiety due to the expectation of disculturation and stigmatization from the world beyond the total institution (Goffman, 1961; Kolstad, 1996; Tan, Chu and Tan, 2016). Disculturation occurs when the person's habits and personality alter due to the life inside of total institution to the extent that they are incapable to function on daily basis within the outside-world framework (Capps, 2016). Stigmatization refers to the societal reaction attached to the perception of the deviant or criminal person who faces social condemnation as a result (Evans and Cubellis, 2015). Reintegration into society refers to the

offenders transferring from the correctional facility to fully functioning, active and contributing members of the society (Buen, Lee and Moss, 2020). This process has proven to be extremely difficult with stigmatization and discrimination affecting ex-offenders lives in the areas of employment, education, housing, healthcare as well as criminal justice system (Major and O'Brien, 2004; Markina, 2019; Buen, Lee and Moss, 2020). The problem with ex-offenders re-entering society is also linked with loss of self-sense. Research, where young men were compared to young offenders, has shown that the offenders fail to find any meaning in life whatsoever, with about 60% of the sample stating so. However, those, who have identified meaning in life mentioned engagement in work as one of the priorities in their lives (Eryılmaz, 2018).

Stigma

Following the release, ex-offenders are confronted with the stigma attached to the perception of criminal behaviour. Society distancing itself from a certain group of people placing the stigmatized individual or group into a place of social rejection and discreditation due to a particular 'discreditable' attribute such as their differences in culture, suffering from disabilities or illnesses, race, gender or in this case having a criminal history. Stigmatized individuals are exposed to lower social contact, deteriorating social skills, a lower chance of securing housing or a job position. Stigma is said to be able to alter an individual's self-concept as well as their social identity which leads to a concept called 'spoiled identity', potentially converting a whole, 'normal' person to a discredited, undesirable individual with bleaker prospects in society (Goffman, 1963; Livingston and Boyd, 2010). Individuals facing stigma also show psychological symptoms such as low self-esteem and low satisfaction with life (Link *et al.*, 2001).

Crime or any other social 'deviance' according to Becker (1963) is much more common than perceived and people who violate the social norms are not pathological. He argues that the acceptance of this stigmatized role is longitudinal and involves identity formation and accepting a certain 'label' that the society imposed on them. The notion that deviant motives lead to deviant behaviour is rejected, instead, deviant behaviour is believed to produce deviant motivations after a sufficient amount of time. Crime or deviance is perceived as a consequence of the application of certain rules and sanctions imposed by society on the 'deviant'. The criminal is then the person who has been label so successfully, and criminal behaviour is a

construct that people label as a criminal. This theory is not limited to the perception of criminal behaviour. Deviant behaviour could be anything that does not correlate with society's norms or anything perceived as 'breaking the rules'. People who suffer from illnesses, mental patients, criminals, homosexuals, drug users or ethnic minorities can all find themselves on the receiving end of social exclusion and become the 'outsiders' of the society or a social group. All these behaviours or characteristics are perceived as either unusual, abnormal or deviant, therefore the social reaction will likely result in marginalisation and social exclusion (Becker, 1963).

The negative and stigmatizing reaction of the society is said to have larger, longer-lasting repercussions rather than the act itself (Lemert, 1967). Not all criminal behaviour is perceived the same and some criminal behaviour is not accompanied by a severe punishment such as a prison sentence. The ones that are met with harsh punishments tend to be accompanied by a stronger societal reaction, therefore resulting in stigma and rejection from society. Such reactions from society can lead to the individual being labelled as 'criminal'. Internalization can take place and further amplify deviant behaviour. This can lead them to resent society and its norms, the person is ultimately losing the opportunity of being a part of society with all the opportunities available to 'non-criminal, 'non-deviant people without such label (Lemert, 1951, 1967).

Self-Stigma or Internalized stigma is a phenomenon that can occur when a stigmatized individual reaches a level of acceptance to his label and believes it to be true. It is said to derive from agreement and anticipation of stigma (Moore, Tangney and Stuewig, 2016). Self-Stigma significantly alters offender's behaviour after release, it has a psychological effect on their self-concept, self-esteem and self-efficacy. Potentially, their expectation about how they will be treated by other people too. This internalization can lead to malfunction in different areas of life, for example, poor mental health and problematic functioning within the community (Schomerus *et al.*, 2011).

Theories mentioned above, remain a major influence in the field of criminology, however, these theories did not develop into clearly explicated unified theory, instead, they were developed in fragments, focusing on different areas and different issues albeit similar but not the same. Some focus more on the onset of stigma, others focus more on living with and perception of stigma, some other research focuses on the effect of stigma on the individuals. Despite the attempts of Rubington and Weinberg (1968) who attempted to unify these theories with similar focus into so-called 'interactionist perspective' theory, a more rigid conceptual

framework is necessary. It attempted to merge the macro and micro-focused analysis which were also applied to different types of deviance within society (Berk, 2015).

To summarize, the issue of ex-offenders is a problem that does not only concern the people released from prison and people who have a criminal record and have not served a custodial sentence, but also the society as a whole. According to the latest statistics a considerable number of people are being released into society every year. However, it is a challenging process to reintegrate these people back into society. The issues range from psychological, socio-economic to existential problems. Additionally, they must cope with the stigma attached to criminal behaviour and endure the 'ex-offender label.

Ex-Offender Employability

Employment is an essential part of being included in society according to the ex-offenders and policymakers (Lutman, Lynch and Monk-Turner, 2015; Eryılmaz, 2018; Ministry of Justice, 2020a). It is one of the most crucial components in ex-offenders life and it can shape their lives considerably, it affects not only the economic situation but also the personal well-being connected with being part of society (Baur *et al.*, 2018). Employability has a significant impact on reintegration into the community as well as successful rehabilitation. Ironically, it is one of the most difficult challenges which ex-offenders face after the release (O'Reilly, 2014).

Hiring ex-offenders is perceived as necessary and positive in contemporary society. 81% of people agree with this notion and think that establishments that give ex-offenders a chance by employing them are making a positive contribution to society and its development. (Ministry of Justice, 2020a). It is said to improve ex-offenders lives economically, psychologically as well as their families (Markina, 2019). It helps them to reintegrate into society and refrain from possible future reoffending (Miller, 2019; Ministry of Justice, 2013a). In addition, the society is said to benefit profoundly by achieving lower crime rates, lower recidivism rates as well as less strain on government funds which could be used for improving other segments of the society (Harrison and Schehr, 2004). Research suggests that ex-offenders within employment are less likely to re-offend than their unemployed counterparts (Ministry of Justice, 2013a). By reintegrating ex-offenders into the job market the society approach can come to a higher level of understanding and lower marginalisation of ex-offenders from society (O'Reilly, 2014).

On the other hand, it is very difficult to achieve and maintain employment for ex-offenders (Graffam, Shinkfield and Hardcastle, 2008). The fact that only 17% of prison leavers are able to find employment within a year of release proves the difficulty within the process (Ministry of Justice, 2020a). Despite the fact, that 86% of employers who have employed an ex-offender rated their ex-offender employees as good at their profession (Ministry of Justice, 2020a). Employers still carry a level of stigma with 81% of private-sector employers feeling anxious about hiring people with a criminal conviction which can be either a by-product or a cause of further stigma and stereotypical notions about ex-offenders (Marshall and Thomas, 2015). Under the Rehabilitation of Offenders Act 1974, it is illegal to discriminate ex-offenders from the hiring process based on their previous convictions which have been spent. Spent convictions no longer appear on the person's criminal record because the period set by the authorities has elapsed (Rehabilitation of Offenders Act, 1974). Many factors could affect ex-offenders employability connected with the nature of the sentence served, and ex-offender discrimination in the jobs sector makes the task of looking for employment even more discouraging than it already is. Nevertheless, employment is not a 'cure' for reoffending but there is enough evidence to prove that it certainly helps its prevention (Holloway and Wiener, 2020).

An investigation into what makes a good prospective employee shows that employers are looking for employees who have a combination of good thinking, basic work and social skills in combination with desirable personality traits such as honesty, high motivation, responsibility and initiative (Ju, Zhang and Pacha, 2011). However, when speaking about hiring ex-offenders in addition to all these criteria, there is another set of requirements as well as a higher level of concern regarding the legal liability of the offences, risks that ex-offenders may pose to the employer or other people in the workplace (Baur *et al.*, 2018). Possible reoffending is one of the concerns too (Cerda, Stenstrom and Curtis, 2015), which is ironic considering that employment is one of the elements which helps prevent reoffending. The reoffending rates are considerably lower for those ex-offenders who have managed to find employment (Ministry of Justice, 2013a). There is some research to suggest that the reluctance to hire an ex-offender is existent and quite profound (Miller, 2019). In one of the earlier studies, only 12% of the employers have shown willingness to hire an ex-offender (Albright and Denq, 1996). Other studies have shown about 20% of employers would 'definitely or probably' accept an application from an ex-offender. The willingness is variable based on complex, interrelated factors, for example, the seriousness of the offence committed and who were the victims, its

relation to the job, level of education achieved as well as a government incentive (Harrison and Schehr, 2004; Miller, 2019). Therefore, the number of employers willing to hire an ex-offender increased to 47.5% when the offence was unrelated to the job position (Albright and Denq, 1996).

Disclosure and Barring Service (DBS) checks serve a purpose of assistance for employers to make educated and safe decisions regarding recruitment across the UK. The DBS checks can only be requested by the employers when the legislation covered in the Rehabilitation of Offenders Act (1974) allows them to do so. The employers must be entitled by law to ask a person for their criminal history and the employee is only obliged to declare previous convictions if they have not been spent yet or if they are applying for certain professional environments. For example health care practitioners or social services workers (Rehabilitation of Offenders Act, 1974; Manthorpe and Lipman, 2015; Disclosure and Barring Service, 2021). However, DBS checks can be a lengthy process, which has proven to be unnecessary in some instances. In the year 2015, only 6% of more than 4 million DBS checks carried out have led to uncovering a criminal record. It is argued that the current use DBS check does little of the intended purpose and contrarily can contribute towards further stigmatization and anxiety in ex-offenders looking for employment. Furthermore employers asking for these checks are risking a level of unlawful injustice when uncovering old offences, often unrelated to the given profession or workplace (Grimshaw, 2017).

Employability services for ex-offenders

Numerous companies deliberately hire ex-offenders and provide training in different areas of business. These companies work in close cooperation with Her Majesty's Prison and Probation service and other companies with similar intent towards rehabilitation and reintegration of ex-offenders by providing work opportunities for them. The Bounce Back Project specialises in training and finding employment for ex-offender, mostly in the construction industry. The Bounce Back Project manages to find employment for almost 200 people yearly and more than 2000 since the start of this programme. In addition, they provide training programmes for people who would like to pursue a career outside of the project. This combination contributes towards better lives for the ex-offenders, boosts the economy by creating new job positions, the employees contribute to the community as well as society by becoming taxpayers.

Furthermore, the figures for reoffending within this organization is as little as 10% (Bounce Back Project Limited, 2020).

Timpson Group is one of the largest employers of ex-offenders in the United Kingdom with 10% of the overall staff having a criminal conviction. All the ex-offender recruits are risk-assessed upon hiring with full disclosure during the interview for the recruiters to make an informed decision. The majority of the current recruits have been described as loyal, productive and hard-working. The reoffending rate is said to be about 25%. Timpson Group is offering jobs to thousands of ex-offenders and rates this decision as not only beneficial for the employees who get to improve their life situation, but also for the employers, who gain a trained, skilled, reliable workers in different business industries (Timpson Group, 2021).

Clean sheet who have managed to help many ex-offenders in their reintegration into society by offering employment, apprenticeship or training in the relevant field. Clean Sheet has been able to help HM Treasury financially by saving almost 8 million pounds based on the annual cost of prison places. With more than 140 employers working in close partnerships with Clean Sheet covers more than 15 000 business sites in the United Kingdom, which provide services for ex-offenders (Clean Sheet, 2021).

Methodology

Research problem

The current research is mostly focused on the quantitative nature of the problems, such as ex-offender employability statistics and the general problems of ex-offenders connected with functioning within the society. This research intends to fill the gap in the literature by investigating understanding what are the boundaries which keep the current efforts of the government, society and individuals to offer help to people with criminal convictions from improving. This research aimed to answer such questions and attempted to contribute to future implications from the people who are involved in ex-offender employability. By understanding what the main problems are there is a potential to eliminate them and therefore improve the current situation. Additionally, this research should also provide the reader with a narrative with the hope it will clarify who ex-offenders are and what does it take to work with these people. Addressing the issue of lack of knowledge and misperceptions of the general population by showing the experiences of highly experienced individuals.

Data collection & Aim

The interviews were conducted via an online platform of the participant's choice. Those participants who have already had experience with working with ex-offenders will be asked questions about the process, advantages and disadvantages of the process and those who do not have such experience, will be asked questions about their reservations and deterring factors as well as what measures could be put in place that could eliminate or reduce the stigma and reservations form the employers. This work hopes to answer the following questions:

- What are the main reasons not to employ an ex-offender?
- What are the main outcomes of hiring/not hiring an ex-offender?
- What possible improvements could be implemented in ex-offender employability?

Given the nature of these questions, primary research has been deemed the most appropriate. It allows the researcher to conduct the research through self-conducted research methods and allows for the formulation of the best-fitting interview questions, as the research is focused on

the employer's narratives. Secondary analysis would be a highly time and resource-economic alternative, however, its shortcoming is not being able to shape the research towards the questions that the researcher seeks to find answers for (Hox and Boeije, 2005). Semi-structured personal interviews method of gathering data has been chosen as the research method best suited for this project. This method allows for an opportunity to gain precise, detailed evidence about what people believe and what their motivations are about this complex phenomenon (Bryman, 2016). What helps to achieve the above mentioned, is the natural setting and the open-ended nature of the questions, which allows the participants to express their feelings freely without restrictions (Silverman, 2021). Explaining a phenomenon in more depth and interpret the gathered data in a meaningful manner is more accessible than quantitative methods of gathering data, such as statistics or surveys which are largely limited in regard to these particular research questions (Hennink, Hutter and Bailey, 2020; Silverman, 2021). Implementing qualitative data could result in the loss of detailed and in-depth narratives of people involved, as well as the prioritising nature of participants narratives over the researcher's (Davies and Francis, 2019).

Sample

The sample consists of 6 people who represent individuals and organisations with the power to provide employment. Some of the employers were approached due to their explicit manifesto to employ ex-offenders, while the others were contacted because they represent an organisation with a large volume of employees. In order to work with a manageable number of participants and get the most relevant data possible, purposive sampling has been implemented, focusing on only one particular sample of employers to ensure an economic but relevant nature of the data (Ames, Glenton and Lewin, 2019).

Purposive sampling refers to a specific type of technique of sampling in qualitative research. It is implemented to select individuals who are identified as somebody who possesses a considerable level of knowledge in the researched topic (Creswell and Plano Clark, 2018). In addition to the subjects being knowledgeable and experienced in the field, it is very important to consider their availability and willingness to participate in the research in a way that will be articulate, expressive and reflective which should help produce data that the researcher wishes to obtain (Palinkas *et al.*, 2015). Although, the researcher notes that this method of sampling is prone to researcher's selection bias, as the researcher actively chooses who to approach and interview (Benoot, Hannes and Bilsen, 2016).

The interviews are semi-structured with the main questions planned prior to the interview. However, throughout the interviews, there may have been new themes emerging that might be worthy of exploration. In such instances, the researcher was asking additional questions to broaden the knowledge and scope of the project (Tewksbury, 2009). The interviews allow the researcher to understand the matter at hand in greater depth as well as provide the comfort of a conversation to the participants. The researcher must ensure the participant is at ease and willing to answer truthfully to the questions, to maximise the outcome of this interview (Tewksbury, 2009; King, Horrocks and Brooks, 2019). The researcher needs to introduce the aim of the research as well as build rapport with the participant. To do so the researcher must refrain from judgemental, leading and close-ended questions. These questions could not only harm the data collection of the research but the comfort and the trust of the participants towards the researcher (King, Horrocks and Brooks, 2019).

Data analysis

The qualitative research method works towards solving complex issues by breaking them down into meaningful fragments, that are easy to comprehend by the reader (Hennink, Hutter and Bailey, 2020). To achieve this, the data collected from the interviews were transcribed and coded by the NVivo computer software, which will help the researcher to organise, analyse and draw conclusions from unstructured qualitative data (QSR International, 2021).

This research adapts Grounded theory (GT) methodology which hopes to discover or construct theories from what is grounded in the gathered data, hence the name 'grounded theory' (Chun Tie, Birks and Francis, 2019). GT is a systematic methodology that involves the inductivist method of reasoning (Noble and Mitchell, 2016; Tarozzi, 2020). Inductive reasoning is a method of reasoning which views claims and statements as supplying some evidence, but not a complete assurance of a truthful conclusion (Rainbolt and Dwyer, 2015).

The first stage of the analysis was 'open coding' which requires the researcher to identify recurrent themes and name them accordingly. Once the data is coded fully and open coding is finished, 'axial coding' has been implemented in order to establish how the codes and themes relate to each other. By identifying categories of the cause, strategies and consequences the coding will ultimately result in theory formation. Lastly, to provide an explanation of the overall theory, 'selective coding' was executed (Chun Tie, Birks and Francis, 2019).

The gathered data was subjected to thematic analysis, which is a method used for capturing and organising different themes or patterns in the qualitative data (Liamputtong, 2019). Within the context of this analysis, the themes are defined as a reflection of a recurring pattern of a shared meaning around the main ideas or concepts. They can often be abstract entities or concrete, explicit ideas that help to merge the data to explain large portions of gathered data and help conclude (Liamputtong, 2019). To ensure the highest possible level of transparency and credibility, the researcher has clearly outlined the methods used in the process of data analysis (Nowell *et al.*, 2017).

This methodological approach has been chosen as this research has a clear aim of uncovering complex questions mentioned above, focused on people's narratives and the reasons behind the decisions or feelings.

Ethics

Given the nature of this qualitative research, it inevitably involved human participants who need to be protected, as well as their rights and dignity (Flick, 2019). Therefore, numerous ethical concerns were addressed. The anonymity issue has been addressed by ensuring the names of the individuals and the names of the companies they represent are kept anonymous by creating pseudonyms and not implementing identifying features into the transcripts (Silverman, 2021). Voluntary participation and the right to withdraw at any time was ensured by the provision of a consent form, which served as a means of achieving informed consent (Bryman, 2016).

This research was carried out in line with the Economic and Social Research Council (2021) guidelines which include: providing informed consent, which means providing as much information as possible about the research to the potential participants for them to be able to make informed decisions about their involvement. Secondly the confidentiality of information in combination with ensuring voluntary participation with a right to withdraw at any time (Economic and Social Research Council, 2021; Silverman, 2021).

The reason for implementing these measures is a combination of ensuring the participants' anonymity and protection of participants. By implementing these measures not only the participants are protected but also the reputation of the institution and what it represents (Iphofen and Tolich, 2018). Breach of confidentiality and protection could lead to trauma and

impact the reputation of the researcher, institution as well as the discipline of social sciences (Bryman, 2016).

The consent forms were provided for the participants to explain the aim of the research as well as a means for them to express any reservations or concerns they might have regarding taking part in this research. The consent forms will be provided via email and will be either signed electronically or verbal consent will be required prior to the start of the interview.

The researcher ensured that the participants are educated about the aim of this research as well the nature of the questions which they may be asked. Provided that participants understood and were willing to participate they had the right to not answer, stop the conversation and withdraw from the debate at any point. These are the basic rights that participants possess and are in place to protect them from possible distress or trauma (Bryman, 2016).

Limitations

This research could benefit from an increased number of participants. A larger sample would lead to a larger amount of data and potentially increased generalizability (Silverman, 2021). Another way of improving this research would be by implementing the 'triangulation practice'. By implementing both qualitative and quantitative research, which would serve beneficial in filling out the 'blind spots' of either method. Both methods remain autonomous, however, they complement each other. The combined approach can be beneficial in terms of broadening of knowledge gained on the topic as well as increasing the validity of the findings. Furthermore, it is easier to establish limitations (Flick, 2019; Natow, 2020).

Given that this is an undergraduate student project it only allows a limited sample and time frame. The sample is not randomized which creates room for more bias. Lastly, this research may prove to be challenging to replicate as with most qualitative research studies (Silverman, 2021).

Skills acquired

As this is the first project of this scale that the researcher has undertaken independently, multiple skills have been obtained in the process of building this project. The project logistics management as well as designing the research are some of the valuable transferrable skills the researcher has gained in the process of conducting this research. Presenting as well as interviewing skills were enhanced and greatly transformed by this experience. Lastly, the

knowledge gained on this particular subject will be valuable regardless of the academic achievements gained simultaneously (Clark and Sousa, 2017).

Quality assurance

In an attempt to maximise to quality of the research, numerous measures have been put in place. For example, the researcher reflects on numerous shortcomings of this research and acknowledges there is room for bias in this type of research concerning the sample as well as the interpretation of data (Reynolds *et al.*, 2011). Secondly, the researcher attempts to make the project as transparent as possible by laying out a detailed framework about how this research has been carried out. Furthermore, the author has made implications that could make this research of greater validity, generalizability as well as credibility (Sargeant, 2012).

The research has been supervised by a third-party specialist in the field of social sciences who has been offering guidance and supervising the quality, credibility and trustworthiness of the project. Additionally, this served as a means of eliminating possible bias from the researcher (Silverman, 2021).

Data Analysis

The participants have provided the research with a professional insight into the work with ex-offenders as well as the current situation in ex-offender employability. The themes best related to the research questions were concerning the stigma, different types of negative feelings and perception towards working with and employing ex-offenders and the problems which arise from such a mentality. This research will also map out both the positive and negative experiences of employers with employing ex-offenders. To conclude this research will show the implications that the employers believe are needed to improve both theirs and the ex-offenders situation.

Stigma

The first major theme emerging throughout the research has been negative perceptions of hiring an ex-offender. The majority of the participants have noted this sort of perception from other people throughout the process, whether it was the co-workers, managers or even Government employees who have expressed disbelief or disapproval on giving employment to people with a criminal conviction.

Prejudice

One of the key aspects of stigma in the recruitment process and employment has been centred around negative feelings towards people with a conviction without a rationale. Doris elaborated on the issue with a reference to her professional experience:

> *"I hosted a round table event 10 years ago, person there from The Ministry of Justice said: "I don't know why you want to employ these people if there's plenty of people out there who don't have a criminal record and are looking for work. And she was a sponsor for employment."*

Harry adds:

> *"It still meets a personal issue. Some may have an issue around offenders."*

These findings are congruent with the precedent fact that ex-offenders a marginalised group (Becker, 1963), hence excluded from many areas of social life and losing the opportunities which are open to other people due to having an undesirable feature, which in this case is a criminal conviction (Lemert, 1951, 1967). However, there are different types of prejudice indicated, the first one indicates negative feelings towards the ex-offenders 'taking up' the spot of somebody else who does not have a conviction and is a suitable candidate and the other refers to the personal negative feelings towards the group in general.

Misperceptions

Another key element of the negative responses was a flawed understanding of what or who are the employers dealing with. Preventing them from understanding the benefits as well as limitations. Harry establishes that misperceptions are the biggest boundary preventing employers to look for staff with a conviction:

> *"The main boundary is an employer's perception of ex-offenders. When we picture an ex- offender, we don't recognize that only 8% of people go to prison every year who were sentenced. 92% of ex-offenders get community sentences. 54% driving related offences, almost 12 million people in the UK have a criminal offence now. That is 1 in 3 adult males between the ages of 18 and 52 years old, 50% of employers would outright reject somebody with a criminal conviction. And yet my nan has a criminal conviction for driving related offences and she's the most pleasant, most wonderful little woman in the world."*

> *"I'm an ex-prisoner and I am the softest lad and well-spoken person. I'll always be polite to people, but when you picture an ex-prisoner, I think we always picture 'The Shawshank Redemption' or 'Orange Is the New Black' and all of this.*

Karl elaborating:

> *"I think employers are reluctant to talk to employers that have done it and understand the benefits to businesses, as a business, we have an interest in having access to the best possible talent pool. Why should we exclude hundreds of thousands with criminal convictions or criminal records from that talent pool? It doesn't make sense."*

Misperceptions often cause different misunderstandings in the recruitment of ex-offenders. It is unclear whether these misperceptions come from certain stereotypes or possible negative life experiences. However, when used as a rule of thumb it is impossible to assess every individual based on subjective perceptions, moreover when they are inaccurate. Future research into why people who stray away from hiring ex-offenders do so.

Risk

Furthermore, risk has been identified as one of the dominant deterrent factors when hiring an ex-offender, whether it was a concern of harm to other employees or reputational damage. Generally, employers avoid such potential instances to avoid risk. Harry shares his experience on the matter:

> *"There is always a risk of reputational damage, there is not always a risk of theft, here's not always a risk of harm toward the staff members, there's not always a risk of harm to customers or clients.*

Doris continues:

> *"...Usually, when employing an ex-offender, the main question is. What's the potential risk to the business? What happens if they do something while they're in employment?"*

Mark elaborates:

> *"...they might be scared of bad publicity if something goes wrong. Why take a chance? What's in it for them to take a chance on someone?"*

The risk of reoffending has been a recurrent theme in this and previous research (Cerda, Stenstrom and Curtis, 2015; Baur *et al.*, 2018). The risk of reputational damage has been identified as always present, which leads to a question of the perceptions of the wider society and the media which is responsible for distorting the ex-offender picture on many occasions.

Outcomes of ex-offender employment

The next theme will be focusing on the experiences that the participants have had with ex-offenders in the workplace. From the process of recruitment to the stage of achieving stable employment.

Achievements

Many of the employers who have had experience with employing, recruiting and closely working with ex-offender have described their experience as rewarding for the organisation, community and themselves. Furthermore, many times ex-offenders have been reported to have a different set of qualities from people who do not have this life experience. Mark reflects on his employees:

> *"...we work with challenging young people who come from chaotic backgrounds, you've got to be able to manage them, have some empathy and understanding. Often people who have been imprisoned or have been in trouble, they're from the chaotic background, that's why they've ended up with the criminal record. It gives them a better understanding of what these kids are like. So, it's actually a plus, if you look at it like that."*

Karl continues:

> *"...any business that systematically employs people with criminal convictions will tell you, that you end up with a cohort of people that are super motivated and enormously grateful that someone has given them a second chance."*

William's response:

> *"There's a multitude of things that make it rewarding for an employer because they can see the difference which they're making in life, changing lives."*

Employers described ex-offenders as a group of employees who will display a significant level of loyalty and gratitude to the business that has gone an extra step and gave them a chance to work. Jonathan described working with ex-offenders accordingly:

> *"...the benefits of us having ex-offender working for us are really good, we've got incredible loyalty out of them. Because we've taken that chance on them, they feel even more obliged and loyal to us as an employer."*

Harry elaborates further:

> *"...having someone with a conviction might bring loyalty and eagerness to please, to improve, prove themselves, prove the world wrong about them."*

William continues:

> *"When somebody is given an opportunity with a conviction who's been through that experience, it's not just that they're grateful, but they know how difficult it would be to get another job when they've got a conviction. So, they're going to have more tenacity and be more willing to stick with a job because they don't want to go through that pain again."*

This theme outlines the positive outcomes of ex-offender employability. As noted by previous research (Lutman, Lynch and Monk-Turner, 2015; Eryılmaz, 2018). In addition to the commonly known positives which include making a difference in society and reducing strain on the economy as well as boosting it, a unique set of qualities that ex-offenders can offer were noted, such as the ability to relate to people from the same backgrounds and loyalty as a standard quality when employing people with a criminal conviction, both due to their experience and showcase of gratitude towards the people who took a chance on them. There are also practical reasons, which is how difficult and time-demanding finding work as an ex-offender can be (Graffam, Shinkfield and Hardcastle, 2008; O'Reilly, 2014; Markina, 2019).

Negative experiences

Some of the employers reflected on the negative experiences connected with having an ex-offender at the workplace. These instances usually consist of the colleagues and management being reluctant to accept the person with a conviction rather than the person causing problems. The ex-offender is then faced with retaliation in the workplace. However, Jonathan reports a singular incident that has made an impact on the company's policy around hiring and employing ex-offenders:

> *"We've had one (bad experience) in particular with a murderer. And that's made us tighten up our selection process even stronger. Because even though, he came through probation for an offence that wasn't what we were aware of, we weren't aware of the murder. So, we took a chance, we took him on. He had a bad day one day, went mad in the centre, and wanted to kill everyone. It was then found out after that he had committed a more serious offence. And we lost a bit of trust in the probation service because of that."*

Nevertheless, despite this experience Jonathan feels like embarking on the route of hiring ex-offender has been rewarding and for the most part without problems:

> *"And we get individuals that haven't had a criminal conviction that could cause problems, we actually get more like that than we do with the ex-offenders."*

Other negative experiences were connected to a negative response from the colleagues after which the ex-offender had to face retaliation within the workplace. Harry reports an incident regarding the incident where the person has faced retaliation from his co-workers:

> *"We found out a candidate got the job because he wasn't asked about his conviction, which is perfectly fine legally. He wasn't going into anywhere where he was bad for working. It was a sexual offence and someone on the workplace noticed it. It was literally within the first three hours at work. He (co-worker) went straight to his line manager. And he (ex-offender) just left the site, and he won't go back now. He has no idea if that person is going to report to anybody else, but with his offence, he knows that people are probably going to start talking on the workplace and then he's going to get issues or reprisals for not disclosing that to the employer, even though it wasn't asked of him."*

William:

> *"…you could have had a person that's been working successfully for them for several years, and then they get an anonymous phone call saying, "Guess what? You didn't know that John or whatever their name is, had a conviction for many years ago". And then that's it…. then staff complain to the management. They complain to the company guys. And that can often lead to the person being put through a disciplinary process that can lead to their exit, purely because staff have been made aware or found out that they had a previous conviction."*

Negative experiences, as well as fear, appears to be one of the primary deterrent factors which creates a bad name for ex-offender employability. Furthermore, there is a correlation to Goffman's theory which states that people who have been subjected to a treatment of 'total institution' can carry consequences outside the institution and significant impairment in social aspects of existence (Goffman, 1963).

Future implications

Based on the participant's abundant experience with ex-offender employment there have been many obstacles identified connected with ex-offender employability. However, in addition to

these problems they have identified some potential future implications which they believed would lead to an improvement in this field.

Communication & Advertisement

Participants have identified communication as a cornerstone of advertising as well as supporting ex-offenders within the employment. William shares his professional insight:

> *"And often I say to an employer that wants to provide an opportunity to someone with a criminal record, "I've been on your website and there's absolutely nothing on your website that indicates to me that you might provide me an opportunity, if I had a criminal record". It's all very well you looking internally, patting ourselves on our back for providing opportunity. But then you ask me why no one's applied. And I said, "Well, look, on your website", look at what your agency is doing because people don't know. And if people don't know, they often will de-select themselves from the recruitment process. Or even if you do have it on your website, if that's not drilled through into your hiring managers, then the impact is the same."*

> *"...if a CEO within the organization might want to drive it through. But if they don't communicate effectively to their staff and others, then it's quite often that you will find issues within the employment relationship."*

Karl continues:

> *"...we had a structured programme for the integration of people with criminal convictions. They went into much more detail about internal communications, letting colleagues know what this means, and I think a lot of it is reducing misperceptions, misconceptions. Being proactive and answering any questions that staff may have about a programme like that. Why are companies doing it? So, internal communication becomes quite important."*

Communication has been deemed as an essential part of the hiring ex-offenders initiative. It is said to lead to an improved experience internally within the organization as well as externally for the people who might want to apply. It would be interesting and encouraged to find out what are the programmes which could work the best with providing safe and sustainable employment for people with criminal convictions and to best advertise such a programme.

Changes in Mentality

In addition to the improvements that should be made in the legal spectrum, there have been some changes in mentality which have been deemed beneficial for ex-offenders, employers and society. Karl's belief is:

> *"So, it's one thing what you can do on the policy side, through recruitment policies. But I think you also have to create a sort of a welcoming culture. That sort of embraces and encourages people with criminal convictions to apply for jobs."*

Harry:

> *"About two years ago, I started to notice the tipping point or the shift of employees coming on board more and more, The Government is coming on board more and more. Councils, like two years ago is when it really started moving."*

The mentality of the individuals involved and the society as a whole is increasingly supportive of ex-offenders within the workplace (Lutman, Lynch and Monk-Turner, 2015; Eryılmaz, 2018) and the changes outlined above are showing to be beneficial in both potential changes in policy and mentality of people who are still reluctant, serving as a precedent for other people and what can be achieved going down this route.

Personal Approach

People with convictions are often marginalised and alienated from not only work opportunities but many other social aspects of life. Employers have been persistently asserting that approaching an ex-offender must be the same as approaching any other person and not doing so is one of the major problems in ex-offender employability. Trying to understand why that person might get themselves in a difficult situation and not judge them based on the offence itself is encouraged. Doris shares her own opinion:

> *"…if you're asking somebody to disclose, you need to prepared to listen to the answer."*

Mark continues:

> *"With the gang members, they know that they've been in trouble. It's good that they see them, it's just seeing is believing, they don't even have to say anything, just to see them there, tells its own story."*

> *"So, I understand what it's like. And I used to get embarrassed. And then my wife once said to me: 'Look at it differently, if you didn't have that past? You probably wouldn't be doing what you're doing now'. I understand people who've been in trouble, and I can relate to them. Because I've been through it myself, and I grew up in the same area. I fully understand it all."*

William says:

> *"...we've got nearly 12 million people with convictions in England and Wales, it's a huge number and you could have somebody who's got a fine for speeding. You could have somebody who's got a fine for assault or probation, order for assault or theft. They may have gone to court and been convicted, but other than that, there's been no other intervention in their life, they haven't changed as an individual before and after. So that person was going to be no different to the general population."*

> *"So they're very much looking past what the person may have done to go to prison, that they're just seeing the difference that by them providing an opportunity to that person to make in their life."*

People with convictions are treated very differently from the people without them (Lemert, 1951, 1967; Becker, 1963; Goffman, 1963; Vuk *et al.*, 2020) and it is established that it causes harm in a variety of situations from psychological trauma imposed by stigma to impairment of the individuals to function properly within the society. Without equal and personal treatment, it is highly challenging to achieve a relationship with people of any sort of background or features.

Second chance

The belief that everybody deserves a second chance has been a recurrent theme within the interviews. This notion is one of the main drivers to embarking on the avenue of hiring ex-offenders, along with compassion, understanding and wanting to make a difference within the society as well as the company. Jonathan says:

> *"...everyone needs a second chance. And there's some great ex-offenders out there that are making great colleagues for us at the moment."*

Doris continues:

"I think the majority (Of employers who hire ex-offenders) want to give people a chance. Some can see behaviours, which they themselves maybe exhibited when they were younger and they were lucky not to be caught, so they can reflect and say, when I was younger, I did this, I did that. I wasn't at risk of being given a criminal record, they can actually see that the behaviour is similar to what they have done."

Mark says:

"I wouldn't hold it against them. If you come out of jail and you can't work again, then what are you going to do? You're just going to have to go back to crime and go back to jail. So, you have to give people a second chance."

Providing second chances for individuals promotes not only economic advancements associated with tax-payer money and lower expenses on unemployment support (Baur *et al.*, 2018), it also proves to be a difficult process for somebody with a criminal conviction to get a job and ex-offenders are systematically discriminated against (Major and O'Brien, 2004; Markina, 2019; Buen, Lee and Moss, 2020). Additionally, people who are left without a job are at a higher risk of reoffending (Holloway and Wiener, 2020).

Changes in Policy

This particular section explores the changes in policies that were found to improve the situation by encouraging the ex-offenders to apply, not to be deterred by having a conviction and having to face rejection every step of the way. Karl highlights one of them within his company:

"What we have done with the companies that are under our management we have 'banned the box' so we do not require people to disclose their previous convictions."

Harry calls for action regarding the way convictions are disclosed on the applications form:

"We encourage employers to have a robust recruitment experience. To get rid of the 'tick box' on the application form, but instead have a set of questions further down the line once you're ready to hire that person."

William speaks for a need for increased support for the employers:

"...legislation around employer accountability for their decision making is absolutely critical because if you build it in, then they would do it. So, I actually

think that's an easy sell if you make employers accountable for their decisions and they are accountable for their decisions."

"I see that organizations have great fear. What if I make a wrong decision as a hiring manager and I give an opportunity to somebody they offend, or something goes wrong? Am I legally or professionally or personally going to be at risk because I made that decision to give this person an opportunity? So, it's very important that they know and access to support that is out there when making decisions. And I think if we make that more easily accessible to organizations, speak more about the good work that some companies are doing, but also government to lead the way that that can make a huge difference in the coming years."

Legislation can play a role either as a tool which encourages employers to take action and employer people with previous conviction or it can deter them. DBS checks are one of the examples of tools that can serve as a beneficial safeguard for the employers as well as a deterring factor, when misused or used in an unsubstantiated manner (Manthorpe and Lipman, 2015; Grimshaw, 2017).

Conclusion

The previous research in this field has been largely focused on quantitative research, researching mostly the numbers of ex-offenders within employment and reoffending rates. This research has been conducted in an attempt to address the lack of qualitative data, such as narratives and point of view from people who have significant experience in this field. Identifying the research problem has led to a formulation of 3 main research questions, which are focused on problems connected with ex-offender employment. This research collected the data by semi-structured interviews, this method has been chosen due to the nature of the research question and it allowed the participants to express themselves more in-depth than in a quantitative study. The sample has been obtained by purposive sampling, which has allowed the researcher to obtain highly knowledgeable participants and gain the most information in a time-economic manner.

The data has been consequently coded following grounded theory and the themes which emerged included the stigma which is attached to the perception of criminal behaviour, resulting in prejudice, misperceptions and other negative feelings towards people with a criminal conviction without a rationale. The next theme was describing the outcomes of hiring an ex-offender, considering both negative and positive outcomes. The last major theme spoke of future implications taking into consideration the attitude of the employers and the media, communication and advertisement of services for ex-offenders as well as changes in policy and mentality within the society.

Research question 1: What are the main reasons not to employ an ex-offender?

The main reasons for not hiring an ex-offender were connected with stereotypical viewpoints on who ex-offenders are, depicting ex-offenders as their popular culture counterparts and ultimately dehumanizing and judging people based on their convictions. The next major reason was the risk of reputational damage, reoffending or the risk attached with the responsibility of other people's actions. The risk of reputational damage was reported to be always present. It would be beneficial to broaden the research on this issue and perhaps the public perceptions on the media portrayals of ex-offenders. In some instances, people may have negative feelings

towards people with a criminal conviction and will consider having them in a workplace as a nuisance, which further escalates the de-humanization and social rejection.

Research question 2: What are the main outcomes of hiring/not hiring an ex-offender?

The results of hiring an ex-offender were largely positive for many different reasons. It is said to be rewarding for the business as they will gain employees who will be highly motivated, loyal and will usually remain within the employment for years to come. Additionally, employing ex-offenders is proven to reduce reoffending rates and boost the economy. It has been reported to be highly rewarding for the employers psychologically too, knowing that they are improving somebody's life and making a positive contribution to society.

One of the notable themes, albeit less frequent was that some ex-offenders will have an advantage over people without such experience. In cases like working with other people from the same, challenging background, they were reported to deal with the day-to-day situations more efficiently than people without such experience.

Research question 3: What possible improvements could be implemented in ex-offender employability?

The first implication for improvement is concerning the companies which are trying to offer a chance for ex-offenders. Their communication skills in advertising as well as between the companies has been reported to be insufficient at times, resulting in people with convictions not being aware of having this opportunity available for them as well as lack of information in cases such as referrals from institutions as The Probation Service.

The second major theme was directed towards what can be done on the policy side. The participants have noted some valuable policy changes that other employers should be encouraged to utilize, such as not asking the candidate for the disclosure of a criminal conviction and make it part of the interview, if needed. However, it is noted that this measure is only possible to be implemented within certain areas of business. Furthermore, clearing the ambiguity about employer responsibility for problems that may occur at the workplace. Other measures were aimed at the mentality of the employers, such as refraining from the dehumanization of the candidates and allowing them the same treatment that other candidates are entitled to. Lastly, embracing the second chance mentality and not judge people by the worst mistakes of their lives.

This research has been conducted as a student project and therefore is lacking generalizability. Future research is encouraged to replicate this study with a higher number of participants which will maximize its credibility and generalizability. Nevertheless, this research has been created to fill a gap in the literature and learn more about the research problem which has been identified after an inspection of the current literature.

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Appendix A: Participant Consent Form

LONDON METROPOLITAN UNIVERSITY

Interview Consent Form

Research project title: Why is it so difficult to find a job after serving a prison sentence? (A qualitative study of employers' perception of hiring ex-offenders.)

Researcher: Matúš Jusko

Participant:

Thank you for agreeing to be interviewed as part of the above research project. Ethical procedures for academic research undertaken from UK institutions require that interviewees explicitly agree to being interviewed and how the information contained in their interview will be used. This consent form is necessary for us to ensure that you understand the purpose of your involvement and that you agree to the conditions of your participation. Would you therefore read the accompanying information sheet and then sign this form to certify that you approve the following:

- I…………………………………… voluntarily agree to participate in this research study.

- I understand that even if I agree to participate now, I can withdraw at any time or refuse to answer any question without any consequences of any kind.

- I understand that I can withdraw permission to use data from my interview within two weeks after the interview, in which case the material will be deleted.

- I have had the purpose and nature of the study explained to me in writing and I have had the opportunity to ask questions about the study.

- I understand that I will not benefit directly from participating in this research.

- I agree to my interview being audio-recorded.

- I understand that all information I provide for this study will be treated confidentially.

- I understand that in any report on the results of this research my identity will remain anonymous.

- I understand that if I inform the researcher that myself or someone else is at risk of harm, they may have to report this to the relevant authorities - they will discuss this with me first but may be required to report with or without my permission.

- I understand that a transcript of my interview in which all identifying information has been removed will be retained for two years from the date of the exam board.

- I understand that under freedom of information legalisation I am entitled to access the information I have provided at any time while it is in storage as specified above.

…………………………..

Printed Name

…………………………   ………………

Signature of participant   Date

………………………….

Signature of researcher

Contact Information:

Researcher:

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Appendix B: Transcript 1

R: Researcher

P: Participant

R: Good morning

P: Good morning

R: How are you today?

P: Very well thank you, how about you?

R: Very good thank you.

R: For a start, may I ask you if you had a chance to look at the consent form, which I sent
you?

P: Yes, I have. But I haven't signed it, unfortunately.

R: That's not a problem at all, as long as you have read it and agree to everything that it
mentioned. And you confirm all that.

P: Yes, I have and I do not see any problem there, so yeah

R: That's perfect, thank you so much

So, can I just start with asking you to briefly introduce your organization and what it
does?

P: Yeah, so we are a company or a corporation which has multiple areas of interest from banking, trains, hotels, airways all the way to retail and communications. These businesses are either owned by our company or use the brand of our company. Therefore, I oversee and advise advocacy and government relations of the corporation on a very broad portfolio of global issues. Some of which include drug policy reforms, human rights, criminal justice as well as recruitment of people with a previous criminal conviction.

R: Okay, thank you.

As you oversee such a wide scope of areas in the group. I would like to ask, is there any specific recruitment process which takes place across all of these?

P: I think that's a very good question…. since we have so companies under or group, whether they are owned by us or they use our brand it will differ across these. And we cannot really tell with all of the companies. What we have done with the companies that are under our management we have 'banned the box' so we do not require people to disclose their previous convictions. However, there are companies which we work with and still use our brand which we don't have insight into.

R: Okay, that makes sense and in terms of 'regular' recruitment process, do you normally get a lot of ex-offenders applying?

P: Well at the moment, as we have 'banned the box'. And what that means for us is quite simply, that we don't know, we cannot tell for sure how many ex-offenders did we employ since then. And I would like to think that that is the beauty of it. The diversity and inclusion are very important for us and we would like to think that this is what helps in order to achieve it. We don't really know.

R: Okay. Makes sense, of course. And in terms of the measures that you mentioned, you've mentioned 'banning the box', of course. But is there anything else that you've done, which would make it easier or more approachable for people with previous convictions apart from this?

P: Well, I think…what we've done a lot, is advocacy. So, we've gone out there, and we've talked about the need for businesses to employ people with convictions, not to leave

them out of that recruitment process, not to leave them out of the talent pool. And I would hope, and we have some anecdotal evidence, people writing to us, but I would hope that it inspires people, or makes people more comfortable to look for employment.

Because if [*The owner of the corporation*] goes out there and talks about compassion, and empathy, and giving people a second chance in life, and not judging people by the worst moment in their lives, and then encouraging businesses to actually hire people, with current or previous convictions, you would think that that has a positive impact on the people, right? and they feel perhaps more encouraged to apply for a job with our company.

So, it's one thing what you can do on the policy side, through recruitment policies. Okay, we banned the box. But I think you also have to create a sort of a welcoming culture, right? That sort of embraces and encourages people with criminal convictions, to come forward and apply for jobs.

R: And, in terms of the once the process is done, once you have recruited somebody who is an ex-offender. What about the people who work with them and the management? Are they comfortable with this? Is it perceived as something beneficial? Or did you have any problems concerning this issue?

P: Well, that's a question I think, a good question for human resource managers, and for the ones that are running the programmes internally. I have a little bit of anecdotal evidence here and there. But in in a lot of cases, a business may be aware that people with criminal convictions can apply for jobs. But it's not something that you, you know, routinely disclose, you know, obviously, (A) because you don't know, right? If someone applies now, for a job. With our management, we've banned the box, we don't really know if the person has a criminal record or criminal conviction. Because it's not important to us. And so, you know, if the person comes in, there's no way that we would treat them differently from anybody else. And so, there's no need, I think, to communicate this differently.

I do know, in cases like [*Train company belonging to the corporation*], again, the example of where we had a structured programme for the integration of people with criminal convictions. They went into much more detail about internal communications,

letting colleagues know what this means, and I think a lot of it is reducing misperceptions, misconceptions. Being proactive and answering any questions that staff may have about a programme like that. Why are companies doing it? So, internal communication becomes quite important. But what I can do is I can connect you to some of the human resources people that have been more actively involved in the recruitment processes, because I think they can answer that question much more competently than I can.

R: Of course, that'll be great. I would be just grateful.

And the other question that I have is, this is maybe more for the HR management, but nevertheless, you can just basically give me your perception.

P: Of course

R: What are you looking for in the day-to-day recruitment in an employee?

P: Well, I think, you know, generally, we look for people that are a good fit for our organisational culture and everything that it stands for. And [*The owner of the corporation*] has gone out there, 'I don't really care all that much about degrees and exams and grades. That's it, just want to know whether a person is capable and can do the job, and whether they fit into the business, and whether they have any potential to grow and develop within the businesses.' So, I think, in some part, not in all, that's become internalised. And we're really now paying much more attention, I think, to, you know, whether or not a person is a good fit for the organisational culture, whether the person brings the kind of enthusiasm and a potential to grow and develop, that we're looking for.

And then grades and things become rather secondary. Of course, there's things, we will always need to see certain qualifications, right? You cannot hire a lawyer without any legal qualification or a pilot without a pilot's licence. But I think, in a lot of other roles, you can be more flexible. And I think that speaks to…. that there's an interesting link to the recruitment of ex-offenders. Because it means that we're really more interested in the person than the sort of biographic shell around the person. And in any interesting footnote in this is that any business that systematically employs people with criminal

convictions will tell you, that you end up with a cohort of people that are super motivated. Because they're also enormously grateful that someone has given them a second chance. When, you know, at a time when a lot of people coming out of prison for it feels like there's nowhere to go, and there's nothing to do. And so, I think, I think, when you when you leave aside the qualifications, the skills, the grades, and all of that, and you look at the first I think, I think that recruitment of people with criminal convictions becomes even easier.

R: That's very interesting. And I realise that this next question can be only answered to a certain extent, but as you said, you have implemented measures which make it impossible to tell if the person has a conviction or doesn't, but nevertheless, I'm just going to ask.

Do you think if there is any difference that you can see between hiring a person with the conviction and without?

P: That's very difficult question to answer. First for the lack of, you know, real life experience with the recruitment process on my end, I'll connect you to the HR people that can answer that question.

R: Okay. Thank you, that would be great.

Okay, so, then I have just a few questions about the businesses, which doesn't exactly concern yours. But I imagine that you have some insight to how other businesses work to a certain extent, of course.

What do you believe is making it difficult for other businesses to take part in this issue as much as you are, for example?

P: Well, we know how many businesses in the UK how many employers in the UK, still shy away from recruiting people with criminal convictions. I think the number is still over 70%. So most employers are still reluctant for a multitude of different reasons. But we also know, you often run into reservations internally, management and staff. And this goes back to what I said earlier about the value of a clear internal communication around these things, you know, if you decide to make this a conscious and sort of public decision, or if you just ban the box, and then and then everything that follows from that,

you know, you just don't know. But if you were to say, as we're gonna make a conscious effort to engage with the Ministry of Justice, or to engage with charities and bring in people with criminal convictions, then then there's a real, there's real value, real need for internal communication. And I think it's a lot of is really missing misperceptions, and prejudice, and just a sort of fundamental misunderstanding of what all of that could actually mean and also not enough of an understanding of the benefits that this kind of improvement brings to the company. So, I think there are some employers in the UK that stand out because they've done so much in this space. [*One of the major employers employing ex-offenders*] is probably the best example. And if you speak to [*Founder of the organisation*], I don't know if he will, as part of your as part of your research.

R: I haven't had any response yet. To be honest.

P: I mean, he is a very busy man.

R: I understand

P: But what [*The major employer employing ex-offenders*] has done is phenomenal. In terms of numbers in the way they engage. And it's, really, you know, I think I think it's been such an amazing effort. Hundreds and hundreds of people over the years. So, I think employers that are still reluctant to talk to employers that have done it. And sort of understand the misconceptions around understand the benefits to businesses, ultimately, you know, as a business, we have an interest in having access to the best possible talent pool. You know, why should we exclude thousands or tens of thousands? if not hundreds of thousands with criminal convictions or criminal records from that from that talent pool? It doesn't make sense.

R: Absolutely, the next, the follow up question, you kind of answered it already. But in terms of what would make the current situation, but is there anything that you would like to add? Because you mentioned the holistic approach, you mentioned, not just doing one thing, but doing things globally. But if there's anything else that you'd like to add?

P: Yeah, I think it has to be an integrated approach, right? Because what we're looking at employment is just one factor in reducing reoffending and if the ultimate goal is to

reduce reoffending rates in the UK, which are horrific as they are in many other countries too. But in the UK, it's pretty bad. Then you need you tackle unemployment, you need to tackle housing, you need to tackle, potentially, drug misuse. So, there are all these factors that play into one another.

And so, you need a holistic approach, you know, that that brings employers together with the government with charities and local authorities, to perhaps come up with something that is coordinated and have been many efforts. I am personally quite grateful that the Ministry of Justice has created a platform with the new futures network. I don't know if you've come across that yet. You may have spoken to [*Ministry of Justice representative*] who runs it.

That is valuable efforts to bring business into this conversation and bring employment into this conversation. But it has to be a holistic, comprehensive approach, right? The ultimate goal is to reduce reoffending, you have to tackle it across the board has to be integrated. And, and I think there's positive developments, and a lot more interest in that then there was maybe 10 years ago. But there's also still a lot of work to be done.

R: Of Course.

Well, thank you very much for your time.

P: If you have any follow up questions, feel free to drop them in an email and see if I can find a minute to answer them. Or maybe we'll have another brief follow up.

R: Okay, thank you. I mean, at the moment you answered everything, basically, I don't have any more questions. So, thank you very much for taking part today.

P: Thank you very much and looking forward to seeing the research, you know, when you're done with it, of course.

R: Absolutely, I'll be happy to show you the end product, once it's done.

P: All right. Well, thank you so much.

R: Thank you very much

P: Bye now, speak soon

R: Have a lovely day

P: You too

Appendix C: Transcript 2

R: Researcher

P: Participant

R: Now, for a start could I just ask you to very briefly introduce your organisation and your role in it?

P: Yeah. So, I work for [*Name of the retailer*]. It's a long-established company, with a great history, opened up by [*Founder of the company*]. I'm not sure if you know the history of [*Name of the retailer*] started off when he left the army. Funny enough, he got some money, they call it demo money, when you leave the army that the army gives you some money to set you up in civilian life. And he used that money to buy some tins of unlabelled products, it was just basically some plain tins with food in. And he started up a market stall. So that was 100 years ago, 100 years on now. We've got 3,500 shops. We've got 350,000 colleagues in the UK. And we've got half a million colleagues working around the world, internationally. So, we're the number one supermarket in the UK, the number one online food retailer. And so, that's a bit about the company, we do lots of different things. We've got banking, we do distribution, we've got [*Retailer's branch*] in Ireland, we own lots of other little subsidiaries as well, that we that we have acquired over the years as well. So big company, blue chip company, top 100 FTSE. And yeah, number three in the world in terms of size of retailers, so a big, big company.

So, I've worked for [*The retailer*] for 31 years, which is quite a long while, I've seen a lot of change and done various different jobs. The job I'm currently in now is I'm the resourcing manager for distribution and fulfilment. So, I look after 30 distribution centres in the UK and head up any kind of resourcing for that and start the strategy plan for that. And we've got some fulfilment centres, so they're like, you know, like 'dotcom

shopping', where customers order online and it gets delivered to your door, we've got six centres around London. And these are great big warehouses, laid out like a shop, and we pick the products that the customers have ordered online, and we deliver from great big hubs, hundreds of vans going out of their 1000s of colleagues work in each one of these centres. So yeah, very demanding job I've got at the moment making sure that we've got the country fed, at the moment, we've, we've food, make sure we've got all the stock going into the shops, and we've got enough people to do that. And we've got enough drivers to deliver to the customers.

R: Okay, thank you. Since you mentioned you have such a wide network of shops, you have very different types of establishments to take care of. Is there any sort of recruitment process which all of these follow? Or does it vary between them?

P: Yeah, we kind of split ourselves in half. We've got our head office function, and they interview and they they're very much because of the skill level, they'll use CVs, and they'll use the experience that applicants have got. With the rest of it, which is what we call channels. So that's like your shops your distribution, that'll be [*Name of the retailer*] in Ireland. Some of the jobs in the bank, we use an ATS system. We will advertise our job on that externally. It's the [*Name of the retailer*] careers websites, we've got our own specific website for careers, and applicants will join, look at the job roles through channels and feed in that way. So, we kind of have two main ways that we resource for applicants.

R: Okay and in terms of the ex-offenders or people with criminal conviction, do you often get applicants which you are made aware of this?

P: Yeah, yeah. So, we are one of we, even though we're down as a company that was originally 'Ban the Box', have you heard of ban the box?

R: Yes

P: Yeah. We do ask applicants if they have got a criminal conviction? We don't reject at that point, we'll discuss what the offence was that at the interview stage, so even if you are an applicant that has been convicted of a crime previously, and as long as you are out on licence, and there are no licence stipulations, we won't reject you. And, and we'll

discuss what the offence was, the nature of the offence and the circumstances around that during the interview. Everyone is welcome at our company. But depending on the offence that you've done, yeah, we, we don't allow certain offences. So, we have also got a programme because of my areas, we're not customer facing. So, I've currently got a programme of work where I'm working with probation in Essex, and they're feeding ex-offenders through a specific system, where there'll be vetted by probation vetted by the Ministry of Justice, and it's anyone that they feel that are suitable for a job within my areas of the company.

R: Okay. So, why do you believe you have this number of applicants from this background? Too many or too little? Is it something that you have done in the past that would make the applicants feel welcome?

P: We don't market the fact that we take on ex-offenders, we are very much focused on a diverse and inclusive company, what we call DNI, DNI for the year, the plan ahead, the strategy plan for [*Name of the retailer*] is to become more diverse. So, we will take more BAME applicants, we're looking at taking on more LGBTQ+ applicants, we're looking at taking on more ex-forces, more women. So, as part of that we are looking at the stream of work that I'm doing with the ex-offenders. Because everyone needs a second chance. And yeah, there's some great ex-offenders out there that are making great colleagues for us at the moment. So, as long as they're selected right, along the way. And that's what probation and Ministry of Justice do for me. And they make sure I've got the right candidate, the benefits of us having ex-offender working for us are really, really good, we've got incredible loyalty out of them. Because we've taken that chance on them, they feel even more obliged and loyal to us as an employer. So, we end up finding that we do get some really good colleagues working for us.

R: Mhmm. Then, you mentioned some measures that you implemented., but I would just like to ask if there's anything, any other measures that you've implemented, which would make it more approachable?

P: We've done marketing within the prisons in Essex. So, we have got a lot of offenders whilst in… under their sentence in their cells. They've got TV, in their cells. So certain prisons have what they call in-cell TV. And we're advertising on there that we're recruiting for jobs, and then speak to their outbound officer within the prison. So, we

work on different prisons in Essex around doing this. So, as they get work their way through the justice system, and become ready for release, we will then start approaching them and just getting them thinking about would they like a job in [*Name of the retialer*]? This is something [*Name of the retailer*] are doing. It's a big company, lots of benefits. And yeah, we mark it that way. Before COVID we have attended the job fairs for ex-offenders, or sorry for offenders in the prisons as well. So, there's several prisons in Essex and Suffolk, that I attended some job fairs for. So, there we can, we've been promoting that we do this work, both internally in the justice system and externally with the probations probation teams as well.

R: Okay. And so, once you decide to, let's say, they go through the recruitment process, and they are hired

P: Yeah

R: What was your experience overall? Would you know judge it as something positive, or have you had any problems?

P: We've had a really good year, the program's only been going live for a year. So, we only do ex-offenders, we don't do ROTL. The ROTL is what they call release on temporary licence. So that's where an offender in prison is on day release, they can go and work for. We don't do that one of our other companies that works with that we own, [*The name of the company*] do that. But we do ex-offenders only. So, out of the past year that we've been running the programme, we've had pretty good success rate. We've got many that have stayed. We've had a few bad experiences. We've had one in particular with a murderer. And that's made us tighten up our selection process even better, even stronger. Because even though, he came through probation for an offence that wasn't what we were aware of, we weren't aware of the murder. He got in again, since being released for the murder. I think he stole something. So, we took a chance, we took him on. We looked at his history, that probationer told us. But yeah, he had a bad day one day, went mad in the centre, and wanted to kill everyone. It was then found out after that, yeah, he had committed a more serious offence. And yeah, we lost a bit of trust in the probation service because of that. Because they hadn't done their homework enough.

R: Mm hmm.

P: Did that make sense?

R: Yeah, it did. Definitely

P: But now, on the back of that, we've got a better plan, a better process to make sure that we do a full history check on every applicant that comes on that system.

R: And on that note, what about the colleagues or the management, what is the kind of stance on working alongside somebody who's been in prison or convicted?

P: Up until that point, we managed to hide the project because it's only a trial, we've been doing it for a year to see if it works. Before it would go out nationally. We managed to hide it from the colleagues and the rest of the management team in there. Obviously, after this incident happened in September last year, we had to communicate to the team. I think there was an initial disapproval, that they hadn't been informed in the first place. But once we got over that they were quite fine, now we've informed them that we've running the project, we recruit so many people in one of these centres, we've taken nearly 50 people a week, on a going basis, because the labour turnover is so high. So, we do lose them within the crowd of people that we take on. They don't volunteer to be a part of this trial that they're doing. So, in regards of everyone's knowledge, they're just a normal applicant. We don't advertise the fact inside.

R: Mhmm. All right. And in terms of the main differences that you could see, between hiring somebody with no conviction, with a clean sheet and somebody who has a past? Do you see any major differences?

P: They all get trained the same, treated the same. And we get individuals that haven't had a criminal conviction that could cause problems, we actually get more like that than we do with the the ex-offenders.

R: That's interesting

P: Yeah, so everyone is treated the same. Once you join our company. It doesn't matter how clever you are, what size you are, what colour you are, what sex you are, what

gender you are, everyone's treated exactly the same. Once you join the [*Name of the retialer*] family, yeah, we all treat everyone exactly the same. And it's down to the individual, then they've got the choice, we've taken the chance. And it's their choice to come in and do a great job every day, as long as they come in and do a great job every day. No, no one would ever know.

R: Well, just the last question about the recruitment process. Looking away from all the differences within the people. Do you are you looking for any particular set of skills across all the individuals? What makes a good fit for your company?

P: For me, because it's quite a physically demanding job, long hours, but good pay. The only thing that I require is that they're physically able to do the job. But if they're not physically able to do that job, we've got plenty of jobs in [Name of the retailer], very diverse job company. We've got three nearly 300,000 colleagues working for us, we've got so many different jobs, we've got a job for everyone.

R: Okay. Now, just like to ask you more about another aspect or segment of this, which is, other employees that you worked with, or that you're aware of. What do you think, is making it hard for them to hire ex-offenders?

P: I think we need to adjust, the current climate for job seekers has changed completely. What COVID has done has completely opened up the market for applicants, more than ever has them. So, where we've got all these people that have been furloughed, been made redundant for highly skilled jobs. When we advertise a job, we've seen hundreds of people apply for every single one jobs that we post. So, what we're able to do is take the best of the best that we've never been able to do before. So, at the moment, I've got the easiest job in the world recruiting. Because I just posted a vacancy, and I get 100 people apply for it, no problem. Some areas, we have to switch them off, because I get 500 or 600 people applying, too many people, depending on the location in UK. So, what I think employers need to be mindful of is that we might have seen a downturn on ex-offenders being recruited, because, like, why take an ex-offender on when I can take the best of the best of the best? Because the talent pool out there is so great at the moment. And I think that that's what a lot of employers will be doing. They'll be just like, I don't need to take an ex-offender, I don't need to take that chance. I can do a safe bet on someone who can do a great job for me on paper. Does that make sense?

R: Yeah, it does.

Now, as you said, the situation is a bit different. The job market is a bit distorted, let's call it, but in general, in your experience, what do you believe that ex-offender employability could benefit from?

P: I've personally not ever in order all the visits that I do to the prisons, and I've been to plenty of prisons, around Essex, London, Suffolk. Hertfordshire. I've not met one offender that I wouldn't take on, personally. But I only speak for myself. I don't speak on behalf of the holder of [*Name of the retailer*]. And maybe I'm a bit more broad-minded than some. But yeah, look, there's so many qualities that they can give. So much experience some ex-offenders have got. And yeah, we live in a very diverse world at the moment. And yeah, we just need to embrace this diversity at the moment and make sure that everyone, every company makes everyone welcome.

R: That's very interesting. And then, just I have one last question for you, now in the last few years, we've seen not only a shift with the employers, but we've seen also The Government moving towards this idea of promoting ex-offender employability. We've seen a lot of advertisement on supporting our employees, employers. But despite this change in the mindset. We haven't seen so much change in the physical output. Why do you believe that is?

P: I do think we will get this change. I think it's a big ship, and the bigger the ship, the longer it takes the turnaround. I do think that… Look, don't forget we've got Brexit, Brexit, has come and gone. We've got the big day coming up in June where everyone needs to have registered for their status, we are seeing less Eastern Europeans coming into the UK, which will dilute the resource impulse for unskilled jobs. I think in another six months to a year's time, I think that's when we'll see that shift change for ex-offenders. Because we've lost a whole pool of great people that normally come and work for us. Does that make sense?

R: Yes, definitely.

P: We have seen some leave, 80 to 85% of all Eastern Europeans that have claimed for working status in the UK have been granted it. I think it's actually higher than that, I

think like 95%. So those that wanting to stay a stay in, those have gone, have gone. And it's going to be particularly hard for anyone new coming into the UK for work, which is considering the turnover was 100,000 a year 100,000 going 100,000 coming in as 100,000 in a resource pool that we haven't got now. I think unskilled labour will be the opportunity in the next six months to a year for ex-offenders to really start gaining employment across all different areas. Employers will have to change their mindset they'll have to adapt because we've lost the talent pool.

R: That makes sense. So yeah, I'm done with all the questions and thank you so much. I'll just recording now.

P: Okay.

Appendix D: Transcript 3

R: Researcher

P: Participant

R: First that would like to ask you is, could you just please introduce your organization?

P: Yeah, so I run an organization called [*Name of the organisation*]. We mentor and support people with convictions because we believe this reduces re-offending and makes society safer. Through a nine-step candidate journey, we help ex-offenders secure employment with employers. So, we also support employers as well, to help them to hire more people with convictions of course.

R: Could you just tell me a little bit more about the recruitment process that you just mentioned?

P: Yeah, so we have a nine-step candidate journey and for us, um, I'll send you a copy of it as well, up to after the call as well.

R: Okay, Thank you.

P: It's everything from a person being referred into our service, where they do an Initial assessment. Step two, step three, they complete an assignment. So, for every one of our candidates, they must make a small act that qualifies them for our service. That could be anything from setting up a professional email address, right through to ordering a birth certificate. We'll fund that for them, maybe opening a bank account. And what the point of the act is that is, that the individual is showing willingness and dedication to be on this program. And if they don't do the act, they don't come on the program. So, it's very kind of, it's got to be led by that they have to want this. Step

four, we do their induction package. Step five, we do goal setting and then we've got foundation employability, which is where we work on basic things such as CVs and disclosure letters to make sure they have all the IDs et cetera. And then they progress onto and enhanced employability, where we work on their mindset, where we get them to really understand how to disclose that conviction. We really build that individual up to give them the confidence and resilience to go to interviews and potentially get rejected. From foundation employability they become 'work ready', which is [*Name of the organisation*] standard that you are ready for work right now. And then they go to employment before achieving sustainable employment after 30 days.

R: That's very interesting. Thank you. And in terms of the applications, you mentioned that people are referred to you. So, do you often get applicants which have no referral, or does it work on the referral basis only?

P: Yeah, we can only accept people through referral. Our model is such that we are commissioned by The Probation Service, The Department For Work and Pensions and The Home Office. And if we do not have a funding stream next to that person, I would really have struggled to get my colleagues who are each mentoring 40 people a piece to take another person on, unfortunately. So, um, we are not at a stage yet where we can accept referrals outside of our commissioning rooms. But I really hope we get there one day.

R: Of course. And in terms of the types of employment that you normally achieve, is there any sort of segment of employment that's more prevalent than the other?

P: Yeah, I think you may see this as a common theme in the study that people will be in the construction and in the fast-moving consumer goods industries. So, warehousing, logistics, et cetera. I will say that since COVID. We have seen people go into COVID testing roles, which is encouraging.

We've not seen employment drop for us since COVID, we've really pushed and supported our candidates to get into work. And I think you will see a lot of people go to warehouse, manufacturing and construction as a basis, but many of our candidates go into all sorts of different roles, especially now that people can work from home. It

means that there's much lower risk to employers potentially. So yeah, it's quite good to see people going into a home-based role as well now.

R: Absolutely. And what about when the people join the workplace, have you ever had any issues with the other colleagues or the management?

P: Yeah, absolutely. We had one this week. It doesn't mean that it happens that often on regular, but we have been made aware of it this week. We've got, these two ways in which the candidate gets the job, it's either direct with the employer or brokered by us. And most of our candidates find their own jobs which is brilliant, but it means that they either go for two further sections, which is employer doesn't ask about conviction, so they don't need to disclose, or the employer asks about conviction. They disclose their offence, and the employer is well on board with kind of what they've done. So, in those two scenarios, that's fine. If the candidate gets a job by lying about their offence, that's a real issue. And we tend to know when that happens, but we assume that they get the job because they're not being asked or because they have been asked and the employers still accepted them. So, what we found is these, these employers are aside.

We found out the other day a candidate got the job because he wasn't asked about his conviction, which is perfectly fine legally. He wasn't going into anywhere where he was bad for working. It was a sexual offence and someone on the workplace noticed it. And it was literally within the first three hours at work. Someone said: 'Oh, I see, I know you from there and that'. And so, he went straight to his line manager. And he just left the site, and he won't go back now. Um, and he has no idea if that person is going to report to anybody else, but with his offence, he knows that people are probably going to start talking on the workplace and then he's going to get ultimately, going to get issues or reprisals for not disclosing that to the employer, even though it wasn't asked of him.

R: Mhmm, and what do you believe, um, would be helpful in terms of what we have just spoken about? Because there is a sort of ambiguity about the disclosure, no disclosure. So, in your experience, what did you find that works the best?

P: We encourage employers to have a robust recruitment experience. To get rid of the 'tick box' on the application form, but instead have a set of questions further down the line once you're ready to hire that person to say, you know, regardless of their conviction, I would hire this candidate. Now, let me ask about their conviction and match what they're telling me against the role and the environment for it to see how much actual risk there is. There is always a risk of reputational damage, there is not always a risk of theft, here's not always a risk of harm toward the staff members, there's not always a risk of harm to customers or clients. So, we ask an employer to say, you know, reputational damage. you could always say. It's just too much for us, but the other items don't necessarily mean that there is that level of risk for them.

So, for us it's very employer led. However, we do encourage candidates to, um, to work out how they can best disclose their offence. So, if there is a tick box with, with, you know, when he says nature of offence, we would say, tick the box and say, you know, um, request to disclose offence in writing or an interview if possible. And then that way they can then have a chance to get the character over the conviction out. So, for the candidates it's about having a solid disclosure statement from our perspective.

R: Mhmm. And as we've spoken a little bit about the profile that the employers are looking for, do you find there are any sort of particular skills that they are looking or is there any between ex-offenders and non-offenders. Is there any overlap between the skills and experience that they must have?

P: I don't think it's the skills is particularly, but maybe qualities that they look for. So, you know, they might not to say ex-offenders because they're all very good at construction. They might say, I want to look at ex-offenders because I mean, apparently the biggest motive for hiring ex-offenders is because they believe in second chances as opposed to…well, then you've got other options such as I need to… I'm desperate for talent and I need to have the widest talent pool possible. And then, you know, other options will be because a person with a conviction will typically be loyal and hard-working. I knew about a person with a conviction has (X) number of months or days until their conviction is spent. So, I know that they'll stay with me until that conviction spent, because if I give them an opportunity while they want to go and try and disclose their offence to anyone else. So, I think that

particularly, I think an employer goes for people with convictions in first and foremost, because the employer is actually quite socially focused.

Secondly, because they, they want to access a more diverse talent pool. And in third, because they do recognize the benefits that having someone with a conviction might bring loyalty, eagerness to please, to improve, prove themselves, prove the world wrong about them.

R: Of course, Um, there's one thing that we haven't spoken about yet. What do you think are the main boundaries or main difficulties that you have faced or the, the potential employees face in this process?

P: The main boundary is an employer's perception of ex-offenders. When we picture an ex- offender, um, we don't recognize that only 8% of people go to prison every year who were sentenced. 92% of ex-offenders get community sentences. 54% driving related offences, almost 12 million people in the UK have a criminal offence now. That is one in three adult males between the ages of 18 and 52 years old, 50% of employers would outright reject somebody with a criminal conviction. And yet my nan has a criminal conviction for driving related offences and she's the most pleasant, most wonderful little woman in the world. And it just makes you think… if you picture all of that. Um, and, and I think the biggest issue is perception. So, I think an employer, first of all, needs to consider whether they need to know about an offence overall, which most of the time they probably don't.

And second of all, to listen to the person before they listen to their offence. So, give the person the chance to, you know, show their character, show their talent, show their skills, and then ask about convictions further down the line. So, for us it is about that initial perception of ex-offenders, ex-prisoners, I'm an ex-prisoner and I am the softest lad and well-spoken person. In terms of, I'll always be polite to people always do all this, but when you picture an ex-prisoner, I think we always picture 'The Shawshank Redemption'. We always picture, you know, 'Orange Is The New Black' and all of this. So, for us, it's about really changing the perception of employers.

R: Of course, and on that note, what do you believe is the most important thing that needs to change for us to curb this?

P: I think employers need to be incentivized in some way to look at the talent before the conviction. So that might be either (A): some form of government program that encourages employers to hire people with convictions through, um, you know, financial incentives reduce what access information employers have, reduce employers need for asking about convictions, regardless, if it's a protective role, they should ask about it. But, if it's not a protective role, we do not need to.

You know, say how important a conviction actually is involved to the current workplace, because the judge sentences the individual and the probation officer decides whether they are safe for the community or not, and puts restrictions on them. So, with that in mind, I think that could encourage employers either not to know, or to ask the question after they've got to know the candidate or to be encouraged, to not ask the question or just to take more of a chance. Reduce the risk for the employer too.

I think if their primary driver, I believe it is reputational damage amongst staff members, the community, all the supply chain, all their clients, and I think more could be done. And this is a deeper, bigger piece where the more employers are celebrated for hiring people with convictions on, except it does go wrong sometimes. So, I would like to see more celebration of people who hire people with convictions and make it kind of mass market news, make it something the headlines no longer say likes all 'ex-cons get jobs in the probation service', but instead recognize that as the probation service now hires people with convictions, so that the system can heal itself. You know, this, this wording I'd encourage the media to do, but I know that will not happen for as long as the media believe that readers will want to see a certain wording in use.

R: Mhmm, the next question would be just your opinion from your experience, about people who you worked with. What are the other employers' perceptions, do you believe?

What do you believe is the general idea at the moment?

P: Yeah, absolutely. About two years ago, I started to notice the tipping point or the shift of employees coming on board more and more, The Government is coming on board

more and more. Councils, like two years ago is when it really started moving. We're two years into that now and it's, I'd say, you know, I could have more conversations with employees now than I could have had before. And so, before that, I was trying to convince the employers about ex-offenders. And it's not about if they should hire people with convictions, which it used to be. It's more about how to hire people with convictions.

So, I'm absolutely so thrilled to see that change is happening in society. And I'm confident that I could pick up a phone to any employer and talk about hiring people with convictions and they would probably leave that call saying, 'yeah, I would consider it'. The only reason they wouldn't is because I sounded like a recruitment agency who wants to sell them recruitment services. And no employer likes a recruiter. So, we are very much on the point where we work with employers who approach us. But once they approach us, they're already obviously interested and keen as it is.

R: Okay. I mean, we touched on this already a little bit, but, uh, as the current stance from the government, the society is moving towards one point. But still, when we look at the numbers, the, for example, there's only about 17% of ex-offenders who are able to find a job within a year of release. So why do you believe there is such a gap in between our, our mindset and the actions?

P: Thank you. Okay. So that's a really good one. So, 17% of all prison leavers secure employment within 12 months. So that's prison leavers specifically, not people with convictions. And that's a really important distinction. When you look at prison leavers and over 50%, 56 or 61%, or 64% is it? I can't remember. Will go back into prison within 12 months now, that, first of all, of course they're not going to get a job within 12 months because they are back in prison. So, we're picturing first of all, prison leavers and when they go in and out, second of all, when someone's released from prison, they're released with 46 pounds. It hasn't changed since 1995, the first six weeks are incredibly chaotic. They have debts, they have drug issues, they don't have accommodation, they have no family networks. So, all is a heck of a lot going on there. I believe that the 17% is only a portion of those who are eligible or able to go and get work. I don't think the number of prison leavers is able to get work is not very high at all. I think it's going to be way, way lower. For example, let's imagine 34% of

everyone being released from prison might be able to hold down a job. 17% is actually 50% of all those chaps to secure a job. That's still not good enough, but it could be more representative. I just want to put that into perspective. I think that these should be probably not employers or the market, but instead the condition that the individual is in when they've been released from prison.

R: Okay. That's really interesting. Yeah. So that's all done with the questions. Thank you so much. I will stop the recording now, thank you so much.

Appendix E: Transcript 4

R: Researcher

P: Participant

R: So, for the start, I would like to ask you, if you could just briefly introduce your organization.

P: Yes. I work for [Name of the *infrastructure company*]. We are, um, we supply the gas to people's homes, and we are the largest network in the country. We cover everywhere from Carlisle and Cumbria. Down to London and over to the East coast. We have about 6,000 employees working, both in people's homes, dealing with gas escapes, and also working on replacing the gas mains to the homes and putting pipes for new installations.

R: Okay. Thank you very much. And in terms of the recruitment process, could you describe if there is any particular process?

P: Yes. So far, the recruitment process, we use is a system called Taleo, which is a candidate management system. So, an applicant, um, goes to register themselves on Taleo. They apply for a job, and then they fill in a series of questions about themselves and about the role they're applying for. And they upload their CV. That then goes to the recruitment team. Who then, screens the CVs and send them on the hiring managers for them to decide if they're going to interview with candidates most,

R: Do you often get applications in which, uh, people disclosed their previous convictions?

P: Uh, we do, I don't know the numbers, but yes, we do get applications with previous convictions.

R: You said that you have had quite a few. So why do you believe that is?

P: The work, the majority of the work we do is manual work and it's practical work. And historically those with criminal records have worked on construction-related work.

We also get those who are self-employed. Who've done a gas qualification independently and have worked as self-employed. Because of the current COVID situation, et cetera. Some have decided that it's more stable to be in employment. So, they've applied for a position within the organization.

R: Of course. And in terms of the application process, were there any measures that you introduced, which would make it, um, easier or more approachable for ex-offenders?

P: We have a panel, um, that reviews applications for those with convictions. But recently my directors asked me to get involved with, with the work, um, because he was concerned, his doubt was we didn't have the knowledge internally to decide if someone was suitable to be hired based on their previous conviction. And therefore, the default position in most cases was not to take the risk. But actually, only a week and a half ago, I received a call saying we've got someone in who we want to offer a position to. We need some support for someone to provide some support. And certainly, if you can provide that support, we will employ them, to which I agreed. And I know there was also a former soldier who'd been offered a contract and then they reviewed his criminal record. And I'm not sure he had a conviction, but the board were very nervous about it. And it was actually the director regional director. She was having him on board regardless because she was confident about it. So, it is more of a nervousness from those who don't understand criminal records, therefore, are afraid to take risks, so there is a risk aversion issue.

But it's something that we're definitely looking at because we believe is if we need to reach out to all of society, I think it's something like 33% of males have got a criminal record. So, if we're rejecting people because they disclose, we run the risk that people won't disclose because some of our jobs don't require DBS checks. So, we are at risk that we will miss an opportunity to support people. And also, we want the relationship to start off in upon with honesty. So, if you're asking somebody to disclose, you need to prepare to listen to the answer.

R: Of course. The next question, you kind of touched on it already. I wanted to ask if the management and the colleagues, if they are comfortable with the, with the recruitment of ex-offenders? What's the general reaction?

P: Some are, some are not. And with the last panel, there was one manager I believe who was absolutely insistent that they wouldn't employ this person. But the majority went with it, but there was still a level of nervousness around what level of support would be required. Just lack of understanding, which you wouldn't have if the person had disclosed a criminal record.

So, it was a nervousness around the criminal record itself when in fact, um, you know, having spoken to the individual, it could be any of our colleagues who didn't have a criminal record, but maybe had a difficult past. So, it is lack of understanding.

R: Yeah, of course. And in terms of the experience overall, from the recruitment process, to hiring an ex-offender, how would you describe the experience?

Was it something positive overall or more negative?

P: I believe this experience was positive overall. However, it took several months to get this individual on board because of his criminal record. So those were in the field at the same time as him are already in employment. So, well, it's something moving forward. We need to have clear processes so that we're not delaying employing someone because of the criminal record. We still need to understand the potential implications to the business that is important. Um, we need to make swift decisions on it.

R: Are there any other positive or negative factors? Anything you would like to add?

P: Well, the thinking was quite progressive. That colleagues actually were more concerned about the individual getting support rather than the rest of the business. Usually, when employing an ex-offender, the main question is. What's the potential risk to the business? What happens if they do something while they're in employment?

About the risks and the media, but also, um, the risk of the business in terms of being sued because, we have vicarious liability, uh, in this case it was purely based on the

individual, 'what support can we offer him?' That was the sole concern. 'Can we support this individual?' And helping to make a positive future.

R: Um, and then in terms of the recruitment process as a whole, if we look at the offenders and ex-offenders, what would you say are the main differences between the two?

P: Basically, the only difference would be if somebody discloses an unspent criminal conviction and it goes to a panel and the panel needs to convene and review and gather evidence. Um, so they will be judged based on the criminal record, as much as the capability to do the job. Whereas somebody who doesn't disclose criminal record is screened solely on their, on their ability to do the job or the perceived ability to the job. If it's enrolled, whether they need experience they have another layer of complexity to go through.

R: What do you believe that is making things more difficult? Or is there something that would sort of make somebody refrain from going through the trouble of hiring an ex-offender?

P: It's more around…I found in my experience is two-fold, one people don't understand. the offending, so they don't understand the pattern behaviour. Um, they are fearful sometimes for their own safety, safety colleagues, especially if an offence is a serious one.

They also perceive that the risk of re-offending is higher than it actually is. It still meets a personal issue. Some may have an issue around offenders, our perception of offenders. Um, so it, it's not generally one, um, generally not one size fits all, it tends to be a mixture of, of opinions. Uh, office-based staff tend to be more risk averse than site-based staff.

Site-based staff seem to take a criminal record as for granted, you know, they, they look at the individual and then say, okay, we'll give them a chance. Whereas office-based staff tend to go through a very much process driven. And to say without the knowledge and experience of offenders that tends to be driven by risk.

R: Hmm. And in terms of the recruitment process, before any disclosures take place, do you have any sort of profile of a person that you're looking for?

Or what makes a good employee for your company?

P: We have a general job description, which lists the skills we're requiring and also the personality profile. So, it will describe, you need, for example, on gas, you need a constant quality CCN One, which is a gas safety qualification. So that will be a minimum requirement for the role regardless. And then it will be people skills, communication skills, attitude. So, we'll have key characteristics, and we have a psychologist within our business that reviews all the job specifications. So, they create the personal profile as well as the knowledge profile.

R: Would you say that, uh, it can influence whether or not the person gets the job or doesn't? Because of the disclosure.

P: Absolutely. No question. Because you can legally refuse to give someone a job based on disclosure of a criminal record.

You don't have to give them a reason. You can just refuse them purely based on the record.

R: Okay. I'd just like to ask you a few more questions, which are more about your opinion, not based on your business solely. And the first one would be, what do you think are the main things that are making it difficult to hire an ex-offender? And I know you've touched on it, but if there's anything more you'd like to add.

P: The main things that are for a larger company, it's fear of what we call the 'daily mail factor' is the fact that something will happen once the individual is in work and they will end up, being with the publicity and the business will get a negative publicity.

Two is the fact that unfortunately, if somebody has been involved in a high-profile case, there is, there is a possibility that it will, appear in the media, even if they haven't committed a subsequent offence.

The third thing is people have different moral standards, they can be working quite happily alongside someone without ever having the knowledge of having a criminal record, but when that person discloses the criminal record, um, there is an expectation, I suppose, to have negative response. And I know from. Well, my colleagues who were

working with individuals who hadn't disclosed, they got a criminal conviction, they were on release on temporary license in prison at the time. And they felt as, so they weren't comfortable disclosing their criminal record, because if other people's perception of them would change now, in some cases, it worked really positively, and people were actually really responsive with a really positive response. But in other cases it was appallingly negative, and it wasn't justified. It was individuals' perceptions of that person. When they knew the additional information about them. And just to be clear, none of these had sex offences arranged in them would be considered to be here in the us. They were offences that we were comfortable that they wouldn't be causing issue to our business.

R: Okay. That's very interesting. Thank you.

Then another one is, um, this doesn't necessarily need to be just applied to your company, but you as an individual who has experience with recruitment and, and far more, is there any change that you would believe would help or any particular measures that would make it easier for other people to take the next step?

P: Yes, there is a movement called 'ban the box', where employers are encouraged to not take into account a criminal record when recruiting, that will work providing with them not excluding the person in the final stage of recruitment because of the criminal record, but also what I believe is, that there needs to be more support from employers who want to employ someone with a criminal record because there's too much focus on the employer taking precautions and the employer being responsible. And therefore, most employers are taking what they perceive to be a sensible route and avoiding risk. Whereas there needs to be more education for employers about what constitutes for reasonable risk and, and in recruiting somebody who's got a criminal record.

And in actual fact, in recruiting anybody, what you should be looking out for, because I think the things like DBS checks now have been used as a silver bullet, that if you employ someone who's got a DBS check, then there's nothing to go for. But actually, a lot of those who've committed, serious offences have got a clear rap sheet, haven't got a criminal record anymore.

So, I think there needs to be more education around the fact that a criminal record is evidence of somebody's past not a determination of what the future's going to look like. And it's more around looking for signs that an individual may be problematic needs to be looked at regardless of the criminal record.

R: Okay. What do you believe the companies that you've worked with or know, what do you believe is their stance on this phenomenon at the moment?

P: I think the majority want to give people a chance. Um, some can see behaviours, which they themselves maybe exhibited when they were younger and they were lucky not to be caught, not being the generation where we're trying to criminalize every behaviour so they can reflect and say, well, when I was younger, when I was fighting and went out, I did this, I did that. I wasn't at risk of being, you know, given a criminal record so, they can actually see that the behaviour is similar to what they have done.

Others can understand. They can put themselves in that person's shoes and say, if I were put in that situation, that is how I would have reacted. Um, so they are the more honest ones, others need a bit more persuasion. Um, but when they do get it, they really get it. If they meet the individual, who's been on a particular journey and the start talking to them, they then become very passionate about the subject.

And actually, they're the best advocates because they're the ones who didn't believe in the first place, have met someone and can see the impact. And then they are more vocal to colleagues about it, actually look beneath the criminal record.

Um, they're more likely to step back when something goes wrong. So those who really just said, well, never mind, as soon as something goes wrong. They will be the first ones to say, well, didn't you check? Oh, shouldn't you have done something? So, they're very quick to accept, but they're also very quick to abdicate responsibility.

R: Okay. That's very interesting. Um, yeah, just the last question, which is about the current stance from the government. It's more moving to the idea that we should be hiring ex-offenders. We should be helping. And also, the general idea in society is the same, but when you look at the numbers, they don't really correspond with this idea.

Do you have any opinion on why do you believe that is?

P: I mean, I've seen the recent publicity about the probation service employing ex-offenders. Unfortunately, government agencies are actually the worst. For promoting this themselves. Um, I hosted a round table event probably about 10 years ago now. And the person there from The Ministry of Justice actually said, I don't know why you want to employ these people if there's plenty of people out there who don't have a criminal record and are looking for work. And she was a sponsor for employment. So, I found a lot of time is that government agencies are the ones who are more likely to want reparation from somebody who's committed an offence rather than understanding that the punishment is in what the court has given them, being custodial sentence, being community service. That is the punishment. The risk should be assessed as… The risk of causing harm was it should be assessed based purely on the facts available. I think a lot of times people make their own decisions based on their perceptions, professionally, you know, government pressures, whereas in organizations I think we're a bit more pragmatic and realizes not everybody is squeaky clean.

And, and to be honest with you, all we get in the criminal justice is those who've been caught. So just because somebody asked me to call committing a criminal offence doesn't mean that nobody did one. It just means they haven't been caught doing it.

R: Of course. That makes sense.

And yeah, I have finished all the questions, so thank you very much.

P: Thank you.

Appendix F: Transcript 5

R: Researcher

P: Participant

R: Okay, so could we just start with the short introduction to your organisation?

P: Yeah. [*Name of the organisation*], we're based in the area of [*South London Borough*], we've been going 17 years this summer. I started it just as a kickabout in a park 17 years ago. I never planned to do this. It just kind of snowballed. So, yeah, that's it really.

R: Could you tell me a bit more about what you normally do? What are your main activities?

P: So, our core activity has always been football, but it's just really a hook to get young people in. So now, we've got nine football teams that are playing in the league.

So, we've kind of, we've got [*Football club belonging to the organisation*] and [*Name of the organisation*], even this year we've got two new logos designed, one for the football club, one for the project, to show the difference. But everything we do, if we do like a parent and toddler reading club, the activity is football. If we do a young father's club for dads, young dads, the activity is football, everything is football related really, we do do some after school stuff of table tennis, and we've done some boxing. But the core activity is always football.

R: And then in terms of the recruitment process, or the applications, is there any sort of application form?

P: No. They have to. So normally, people will come through us, most of our coaches are former participants, so we've known them as kids, and then they get to volunteer, then we'll do we'll put them through their coaching badges and then they'll step into a paid part-time role. If we recruit anyone, even then, they have to have an enhanced DBS check. So that's the main safeguard.

R: Okay. Do you often that applicants or let's say recruits, which have a criminal record, or are ex-offenders?

P: Yeah, we've got some, we work with ex-gang members. So, two of our current coaches are ex-gang members. And just one recently, he's got to, for instance, because he's got a criminal record, if it's a serious criminal record, then the FA will do our DBS checks, they'll ask for references, they will have to get a reference from me. And we've had that before in the past, I had one a gang member, he just had a six-year jail sentence for drug dealing, but he was working with gang members, he was running a session with kind of gang members, an ex-gang member, so he was an ideal person to run that, which is what I told the FA. And then they gave him clearance to work with under 18's after that. Because I wrote him a reference.

R: Um, do you believe that your organisation has had quite a few or little ex-offenders wanting to be part of your organisation?

P: Well, at the moment, we've got to two and I always say to people, I say to young people, don't be put off by DBS checks. Because in the past, people will be scared you know, they'll start thinking: 'Oh I'll show my criminal record, I'll show I've been in prison' and we always say Don't, don't let that put you off. You know, going to prison and having a criminal record doesn't necessarily exclude you from working with young people.

R: So, you mentioned the DBS check, apart from this thing. Have you implemented any kind of measures that would make it a bit more accessible? In contrast to the DBS checks and all the legal stuff?

P: No, not really. It's just you know, but for anyone wanting to get involved in youth football they know they have to have a DBS check. So, yeah, I mean, recently there

was a football club where the child welfare officer, let someone in, kind of bullied his way in. And it turns out for two years, it transpired he didn't have a DBS check. He didn't get it. And then he kept telling people it was an admin error, which was just rubbish. And that's caused us, the club a huge amount of problems. So, you know, you've got to go by the safeguarding guidelines, because this is a serious issue.

R: Of course, what about the other colleagues or management team, are they usually okay with the idea working alongside ex-offenders? Or have you had any problems in the past?

P: No, no not at all. With the gang members, they know that, like our two coaches, they know that they've been in trouble. Some of them know that they've been in jail. But, you know, it's good that they see them. Because they can say: 'Look, they're not like that now, look, they've been through that. And now they're doing this', it's just seeing is believing, it's much better than they don't even have to say anything, just to see them there, tells its own story.

R: Absolutely. Now, generally speaking, when you're looking for somebody who would make a good fit for your organisation, despite the criminal record, having it or not having it. Are there any key skills, or any particular traits that you're looking for?

P: Yeah, you've got to be able to relate to young people, especially challenging young people. So, we work with challenging young people who misbehave and might come from chaotic backgrounds, you've got to be able to manage them, to be able to deal with them, you know, have some empathy and understanding. And often people who have been imprisoned or have been in trouble and released, they are from that type of background. They're from the chaotic background, that's why they've ended up, you know, with the criminal record. So, if you're dealing with young people from the same background, you're trying to make sure they don't get a criminal record. So, people who have been there, you know, they're… it gives them a better understanding of what these kids are like. So, it's actually a plus, if you look at it like that, you know, it's actually a plus. So, I mean, for me personally, when I first started this, the kickabout and so I said, Oh, you know, when was growing and I want to do a football team. And then someone said to me: 'Oh, have you got a CRB check?' I didn't know what that was, you know, Criminal Records Bureau. And I thought flipping hell. Because I when I was a young

man, I was in trouble all the time. You know, and I've been in prison and myself, and it was, it was, um… my CRB check came back. And it was… I was shocked. It was three sheets, double sided, you know. I can't even remember all of the things are done on it. My God. And then, once someone asked me: Do you want to be a [Major *football club*] scout? Because we were sending kids and went to Lambeth. And I said: 'yeah, great' and they were the first people said, you gotta have one done. And then again, I had to write a letter to the FA about myself, asked to explain, which I thought was a bit out of older, you know, but I wrote the letter. And then [The *Football Club*]. The security guard, head of security of [The *Football club*] said he wanted to interview me and I said,: 'No', I said, 'Now, what for?' I said, You've got my CRB check. 'I don't need to speak to him. What's he gonna say?' And then they said, no it's fine. So that's it. You know, if I'd have run away then there wouldn't be any [*Name of the organisation*]. So, I understand what it's like. And I used to get embarrassed. And then my wife once said to me: 'Look at it differently, if you didn't have that past? You probably wouldn't be doing what you're doing now'. Now, that made sense to me. So now I understand people who've been in trouble, and I can relate to them. And because I've been through it myself, and I grew up in the same area. So, I fully understand it all.

R: Of course. Just adding on to this, when you mentioned that people, whether young or adults, they need the support they need the support in many other areas, not just employment, of course. But in terms of you working or employing somebody with the criminal record. What would you describe the experience like?

P: Well, for me, the ones I know, like the coaching staff now, for instance, and the one before who did the six-year jail sentence, they were great. They were great, because they could handle the young people they were working with, you know, especially the one who a few years ago, who has done the six-year sentence, he had a really challenging group within that who were teenagers, ironically, now are seniors. We've got a senior's team now. And they're all in their 20s, mid 20s. Those, that's the group he worked with when they were teenagers. And they were all like gang members and stuff. And so, he was, you know, if a [*Football Club n.1*], or [*Football club n.2*] Foundation coach had turned up. With his *[Football Club n.1]* or [*Football Club n.2*] tracksuit on and a bag of balls. With that group, he would have lasted two minutes. That would have been two minutes, he'd be gone. Balls gone over his shoulder, see you later, it wouldn't

have worked. I know that. So, in my experience, yeah. You know, sometimes, if you've got a bit of a past like myself, you can, you know, you it's got a lot of pluses. Because you've been there, you've got that experience, you can relate to young people, you know, and you can just, you've just got that different outlook, you know, a better understanding. Obviously, if you're still going on about 'Yeah, you know, I'm this and that. I'm a bad man.' then that's no good. Because you're just, you're just an idiot, then you're a bad role model. But I've never had people like that.

R: Thank you, and do you think that there is any sort of difference between hiring, recruiting and working with ex-offenders? Or is there something that's making it more difficult for you to get somebody with a criminal record?

P: No, not for me, but then we would know them, you know, I've never had someone from outside to come in. And they've got a criminal record. But again, I wouldn't hold it against them. But I take them as I find, you've got to give people a second chance. If you come out of jail and you can't work again, then was what are you going to do?

You're just going to have to go back to crime and go back to jail. So, you have to give people a second chance.

R: Of course. And then, this can be just your opinion about what changes would you think would work in in terms of the things would change for better because for example, from the people who will leave the prison every year, there is only 17% of them which can actually find sustainable employment within a year. So, this is quite an issue. And in your experience, since you have quite some experience, what do you think would help the situation?

P: The thing is, there needs to be more rehabilitation in prisons, proper rehabilitation and getting people, you know, ready for work, being able to maybe get a training, in the old days, you could go maybe get a training in prison. You could do stuff like that, like plastering, bricklaying courses, stuff like that, but there needs to be more rehabilitation and pathways. Government sign-up an initiative for employers to take on ex-offenders, something like that, you know, otherwise, you're just gonna keep getting recidivists, you know, going back to jail. And people inside need to have their confidence built up. A lot of people in prison, turned to crime because they actually can't live in a real world,

they can't get a job, they can't, even before they got nicked, they couldn't really get a job because they didn't have the confidence. And a lot of these kids we see in gangs, they've got no self-belief, so they can hide away and again, because they don't need that. And they can get money. And even if they go to jail, that's a good thing, because then they get self-worth by saying: 'Look, I've been to jail, you know, I'm a bad boy', you know, it's got kudos attached to it. But they can't operate in a real world, because they haven't got the confidence to do a job. They haven't got the self-belief. The prison system needs to really start looking at proper rehabilitation.

R: For example, other people, employers that you know. What sort of opinion do you think they have on this issue?

P: I mean, I'm not sure I don't think they are as open minded as I would be. Because, they probably haven't been inside. Again, they haven't got that experience. And often they're scared, they might be scared of publicity, bad publicity if something goes wrong. And, yeah. Why take a chance? What's in it? What's in it for them to take a chance on someone?

R: And just have one last question, which is, in the last years, we've seen a bit of shift in the government's stance saying that the employers should get more support, and also the people with convictions should get more support. But despite this shift, not much is changing from the data and the people's testimonies. So, what's your opinion on this, what should change?

P: Well, yeah, this government needs to change. I mean, they're criminals themselves, you know, I've never known such a corrupt government ever. I don't know what's going on, the levels of corruption, you know handing out contracts and whatever to their friends. It's just shocking. Plus, as well, you know, companies like [*Private contractor running prisons in the UK*] who run prisons and they failed and failed again, everything they do and still get contracts. So, you know, I don't think when you have private prisons, if we're going down the way America has gone, you know, private prisons need prisoners or they don't make any money. You cannot privatise prisons that's just ridiculous. Yeah, you're not looking to rehabilitate people. Because if you do, then there's no prisoners. private prison is borrowing money. So, they're disingenuous.

R: Yeah, makes sense. So yeah, I'm done with the questions. Thank you so much. I'm just gonna stop the recording.

P: Okay, No problem

Appendix G: Transcript 6

R: Researcher

P: Participant

R: Ok, so it's up and running, so, yeah, could we start with maybe some introduction to your organization, please?

P: Well, my organization is called [*Name of the company*] it's specialist consultancy practice.

A big part of my work is working with employers and organizations across the sectors when it comes to safer recruitment, safer admissions, safeguarding and conduct within the employment or educational establishment settings.

And I also work very closely with organizations that support people with convictions and other excluded groups to help them with capacity building. And I also work very closely with the government on criminal record matters.

R: Ok, thank you. For the employers that you work with, do you have any sort of recruitment process which takes place among these or do they differ in between each other?

P: Well, it will differ between different organizations. They'll all have their own recruitment processes. And because I work with organizations across sectors, you will have a different approach may be taken by the construction company, small medium construction company to that taken by a care home or NHS trust or even that taken by the government. But the principles around the process that they should be following

when considering people with convictions, it is fundamentally, or has been fundamentally the same for many years.

R: Ok, and do you or do you often work on a referral basis or more of people applying to your organization and then the application goes to the employer?

P: So, I actually work with the employers, not the individuals, so my job will be to support the company with embedding processes, training their teams on safe recruitment, and and if they have any issues within the employment relationship or educational establishment relationship, that they can contact me for advice on handling such situations. So, I don't take referrals from individuals and lots of my work with organizations. It's quite simply I'm a consultant. So that word of mouth is the biggest way in which my business is out there. And so a company will simply come to me or somebody who's got a project. I work very much on projects, big projects as well, where I would be commissioned to do a project.

R: Ok, then in terms of you working with the companies, could you name some of the measures that you have implemented that makes it easier or approachable to hire somebody with a conviction?

P: Well, ultimately, I will, first of all, find out what their existing process will be, but then what I will do is implement a system of how they go about gathering criminal record information from applicants. So, at what point they may ask a candidate for criminal records how they receive that information the format that they receive it, and very critically, the process that they would embed for determining a risk assessment. So that would be a key element of what I would do based on their existing policy or new policy if they haven't got one or if their old policies are fit for purpose. And normally what will happen off the back of that is I will train the appropriate teams or with the board, whether it's hiring managers, other members of staff on how to embed this process and provide due consideration to a candidate who's got a criminal record or has been subject to serious allegations in their past.

R: Of course. And since you mentioned the risk assessment, what about the employees and the management, which is inside of the employer's organization, what do you believe is their kind of stance on hiring people with convictions?

P: Really, a different organizations will be coming from a different position. What I would say is what's positive over the years is that the tone, the language and tone of even government when it comes to talking about people with criminal records has significantly shift over the last five years. The government is now publicly calling for employers to provide people with criminal records a second chance or third chance fourth chance, whatever it may be. The civil service is making strides to be more open to people with convictions because they understand more about some of the factors that could lead to a person entering the criminal justice system. There is still absolutely a long way to go. So, some companies are better than others. So there's a growing number of organizations that, (1) are providing opportunities to people with convictions in all parts of their businesses to having it come from above, maybe government wise to say you should be doing this better. But there is a long way to go in terms of organizational culture. That is one of the huge challenges that that both the organization and an individual could face a CEO within the organization might want to drive it through. But if they don't communicate effectively to their staff and others, then it's quite often that you will find issues within the employment relationship. If somebody goes on Google, for example, and searches to somebody whose convictions on the Internet, or if the person themselves has told members of staff expecting a different reaction and expecting that everybody will be welcoming of them with a criminal record, or even if they've got an ex- partner or friends or someone who knows about their conviction, ringing up the company and tell it to somebody who, quite frankly, should have needed to know and doesn't have a right to know.

R: Mhmm well, you've touched on this already, but when you mentioned the experience differs between employers, between individuals, but if there's anything else that you could say about the overall experience of working with people, with convictions. Is it something positive or something usually negative, would you say?

P: I definitely wouldn't say it was the latter, but it's important when we talk about people of conviction saying, well, we've got nearly 12 million people with convictions in England and Wales. So, it's a huge number and you could have somebody who's got a fine for speeding. You could have somebody who's got a fine for assault or probation, order for assault or theft or whatever it might be. So they may have gone to court and been convicted, but other than that, there's been no other intervention in their life. So

so they may have made a mistake. They've gone to court. They've been punished for it. But in other ways, they haven't changed as an individual over before and after. So that person, if they're keeping their job or going into employment, was going to be no different to the general population. Does that make sense?

R: Yes, it does.

P: Well, I suppose what a lot of people want to know about is if we are hiring people who may have been to prison, who may have come from, you know, challenging backgrounds, served time in prison, they've worked with the justice systems to get into a stable place in their life. Are all those individuals more positive or negative experience with employers? And what I would say is, in the round, people that have gone on a journey as employers to give people an opportunity, I've found that a very positive experience. So that's a very positive experience. And one of the reasons for that is and when I say positive, I mean, if they're taking on somebody who's work ready, that's really important. If somebody is not work-ready, then the experience, whether or not they've got a criminal record may be challenging for the employer anyway. But work-ready people who want to work, who've had a conviction, in my experience, employers have and the research will say that they've had a more positive experience than others. And one of the reasons for that is based on practicality, very, very, very difficult to get a job when you've got a criminal record. Somebody may have applied to hundreds of jobs and face rejection at every turn. It's a very, very difficult to get a job. So when somebody is given an opportunity with a conviction who's been through that experience, often it's not just that they're grateful, but they know how difficult it would be to get another job when when they've got a conviction. So lots of employers that I've dealt with over the years where they've opened their doors and given opportunities to people with convictions will find and say: 'This guy has had a better attitude than my other staff' or "This girl's had a better attitude than my other staff" who, you know, seem like quite mercenary. And the reasons why is, it's very difficult to get a job today. So they're going to have more tenacity and be more willing to stick with a job, even if their experience with the employer is not that great because they don't want to go through that pain again.

R: Mm hmm. OK, understood. So would you say that those are the main positive things or that's what makes it rewarding for the employer, or is there anything else that you would like to add?

P: There's a multitude of things that make it rewarding for an employer that's going on a journey to provide opportunities to people with conviction, because they can see the difference which they're making in life, changing lives. There is some employers that I will work with that will actually go into prisons and work with prisons and hire people released on temporary license to come out into their businesses every day working. And if it works positively, that person may be putting aside a bit of money for their when they are released so they can get a place to live or a place where they can get to reconnect with their children. And so going on that journey as an employer, if they've got open eyes with it, if they're actively involved in that. I often find very many of them feel good about themselves personally, feel like they have a connection to that individual. So they're very much looking past what the person may have done to go to prison, that they're just seeing the difference that by them providing an opportunity to that person to make in their life. And often it's a very tricky balance for some employers when they go with it. Sometimes they make it too much, and sometimes they might become like the surrogate mother or surrogate father of the individual and start to get involved in all aspects of their lives and the rest of it outside the employment relationship. And lots of times when I speak to employers say, look, "We do need to make sure that you're still being their line manager and not their mother". It's a very tricky balance. But those who go on that type of journey, I often see genuine joy get a genuine you know, can I say they feel very good about what they've done. And those are your best advocates, really, because they may leave the job that they're in and go to another company. And the first thing that they want to do when they go to the other company is set up opportunities for people with convictions.

R: Ok, yeah, makes sense.

Um, and then we've spoken about the employment and when the people actually get into the employment. But, um, I wanted to ask you about the recruitment process from applying or a referral, whatever it may be, to actually getting the job. What would you say is the main difference with people, with convictions and without what makes it difficult for those with a conviction?

P: For those with a conviction quite simply, having a conviction in itself is and will continue to be a factor that an employer is allowed to consider, ok? So, when we look at employers decision making in their test for suitability, they they can consider a criminal record. So, if an applicant discloses a criminal record, then often an employer will use that tick box approach to reject the application outright, and it's not very easy or clear for the individual as to how they can get any recourse from being unfairly treated by an employer.

I have successfully obtained recourse for people with convictions when I used to be an advocate for people with criminal records. Well, when I say I used to be, I'm still advocating I'm just wearing a different role. When I was a legal officer at [*Major Company employing ex-offenders*], I used to represent people who'd been turned down unfairly by employers due to a criminal record.

But you can't discriminate against someone because of them being homeless. You can't discriminate against someone because of their colour. You can't discriminate against somebody because of their disability. But if you had someone who had a criminal record, an employer can discriminate. Does that makes sense? Even if that person is of colour, has been homeless and has a disability. So it's right up there as as a key fact that many employers would use to consider an applicant's suitability. So, in that respect, they are in a completely unique situation which is different to other candidates. That's really, really important. And that matters whether they've got a fine whether they've got a probation or with a conditional discharge or whatever, whether they're going to prison, the employer can still treat it exactly the same way.

And often when I hear people talk about people with convictions, they always talk about people in prison. Well, no, it's people that the vast majority, I think the statistics now is less than 6.8% of all people convicted, one point 1.8 million each year, less than 7% go to custody. But the barrier is the same for all of those applicants when they've got a fine or whatever, I suppose, that also has another impact because people with convictions know that there is a stigma surrounding having a criminal record.

So often a candidate won't apply for a job. So they look at it, they see that the companies are about criminal records and they'll go, well, I'm not applying because it's not clear to them how they will be treated by the employer when they're within the recruitment

process as they as they go along. And often I say to an employer that wants to provide an opportunity to someone with a criminal record, I say, well, I've been on your website and there's absolutely nothing on your website that indicates to me that you might provide me an opportunity, if I had a criminal record. So it's all very well you looking internally patting ourselves on our back for providing opportunity. But then you ask me why no one's applied. And I said, "Well, look, on your website", look at what your agency is doing because people don't know. And if people don't know, they often will de-select themselves from the recruitment process. So that's important. Or even if you do have it on your website, if that's not drilled through into your hiring managers, then the impact is the same, you know, individuals could get all the way through a recruitment process and then they say to have a criminal record. And because different employers of the different processes, some might even farm out the vetting to other companies. We might even be a different department within that organization to the person that may have interviewed the candidate. And you might even have told me the interview had a criminal record. And I would like I don't care he is great. He's the best candidate. I'm saying that this is the guy to give you the job over to. The people who are doing the vetting is far removed from the process and they don't have any emotional attachment to the decision- making process. So when they see on paper saying fine, probation order or a prison sentence is quite easy for them to say no.

But when you look at referral process, so some employers say this is an important part, is some employers will create entry routes for people with convictions. And so, some companies may actually set up specific programs for people with convictions. And that's really important that people that are looking for jobs, if they're coming from prison or they're on probation or they're a young offender and they're looking for opportunities, that there are lots of companies out there now that work with the company, with work, with organizations, specifically to help get people with convictions and to work with them. And that's what I would say is more of a referral process. The employer will have to say, "I want to provide opportunities to people, convictions." I may have a social value outcomes construction industry, for example. We have social value outcomes and obligations built into their contract. So, there's actually money attached to them providing opportunity sometimes to people with convictions and they can actually lose money or be financially penalised by not meeting those targets. So those are the type of companies that will reach out to charities, saying

can you help me? Because I want to provide opportunities to people with convictions. So, that experience of referral is completely different to a candidate who's applying by themselves, going through an organization's normal recruitment process. I'm hoping that makes sense.

R: Yeah, it definitely does.

You've mentioned the other employers like, let's say, removed from your organization and removed from all the people that you ever worked with. What do you think are the deterrent factors for them to not take part, to distance themselves from hiring somebody with a conviction?

P: Ehm, lack of education, them as an organization, right?

So, I think lack of awareness, lack of education, I would say the media plays a huge role over the years in distorting the picture to an organization of what a person with a criminal record might be. And then another really important barrier is their culture, the culture within organizations, so staff culture is one of the key challenges, really, that I deal with as a consultant or an advocate. And lots of my legal challenges over the years and representation have to do with organizational culture.

So, you could have had a company, or you could have had a person that's been working successfully for them for several years, and then like I said, they get an anonymous phone call saying, "Guess what? You didn't know that John or Jane or whatever their name is, had a conviction for many years ago". And then that's it…. then staff complain to the management. They complain to the company guys, we can't believe that you hired this person with a conviction. And that can often lead to the person being put through a disciplinary process that can lead to their exit, purely because staff have been made aware or found out that they had a previous convictions. So a culture is a huge, huge thing to address.

R: Mm hmm. OK. And the another question was, you touched on some things that are making it really difficult for either employees, employers to actually hire somebody with a conviction. So, I wanted to ask you, what do you think are the changes that we need to see? In order to make it better, the situation.

P: Well, one of the things I would say is legislation that and when I mean legislation, I don't mean the disclosure rules, right.

Because everybody will always say, oh, the rehabilitation of offenders, is it spent? is it not spent or is it filtered? Is it not filtered? The government has made some changes in those areas. Some more positive than others, but legislation in terms of the rules does not really change the treatment of somebody who doesn't benefit from the rules, if that makes sense.

So, for me, and this has been weaved in as a big part of my work, legislation around employer accountability for their decision making is absolutely critical because if you build it in, then they would do it. So, I actually think that's an easy sell if you make employers accountable for their decisions and they are accountable for their decisions. But it's not very easy. There's only myself who took on advocacy cases. And as I said, to start with, I no longer I now work with organizations every now and again I might take on a pro bono legal case which I do just to make if it's if it's a case that I think is of important significance. And I've had a few of those over the years, and I might take on several pro bono cases per year two three or four or so. But other than that, it was only my old organization [*Organization specialising in ex-offender employability*] that could legally represent somebody who was treated unfairly by an employer because they don't have employment rights if they haven't been employed for two years. So, anybody who's not been employed for two years, it's not very easy to get access to recourse against unfair decision making. So, if we tighten up, then that's a key driver. The other thing is, the government has started to lead the way in, speak out, you know, and I do expect that to continue over the coming years. And you will see that more and more that that has been quite fundamental in changing employer attitudes, seeing government doing it. And so not just a lip service, they're building into procurement.

So, if you want to win government contracts going forward, like I said earlier, about having targets for people with convictions, that's something that I think will make a difference going forward. But the most important thing I would say to an employer or an organization is to know that this is not something that is insurmountable. It can be quite easy. And I'd be careful. I say easy. It's easy to be able to get the support that they need to do it effectively. So, if an employer is going on the journey, then there's is support that they can get to hold their hands to inform decision making.

And one of the things that I see that organizations experience is they have great fear. What if I make a wrong decision as a hiring manager and I give an opportunity to somebody they offend, or something goes wrong? Am I legally or professionally or personally going to be at risk because I made that decision to give this person an opportunity? So, it's very important that they know and access to support that is out there to hold their hands when making decisions. And I think if we make that more easily accessible to organizations, speak more about the good work that some companies are doing, but also government to lead the way that that can make a huge difference in the coming years.

R: Ok, my last question was basically what you have just answered, so it was it was just about the government changing its outlook. What do you think? How is it going to change? But there you go. You answered it already.

P: But I will add to it, that to me is one of the reasons that the government is changing is because that is they looking at the data today, seeing the cost to society, the cost to governments in keeping people with convictions, not being able to access work. So, it's not in their own interests to have a huge proportion of society, up to 20 to 25 % of the working population is restricted from the world of work where many of them are suitable to work and want to work. So, it's not in their interest to do it. So, they've looked at the data between tax-payer, justice system, educational attainment, benefits, payment. There's a lot of data reforming their decision making. And what I think is my approach is very different to others. But my approach is actually about applying a business approach to social mobility or social inclusion. And what the government is doing now is actually based on practicality. And that's why I expect it to do more, because they don't want to pay the bill anymore. People out of work, it's that simple. So that I think when we're looking at the outlook, now that they know it costs them, they don't want it to be a cost going forward because.

R: Of course, yeah, so that's me done with the questions. Thank you so much. I'm just going to stop the recording real quick.

Appendix H: Nvivo Coding