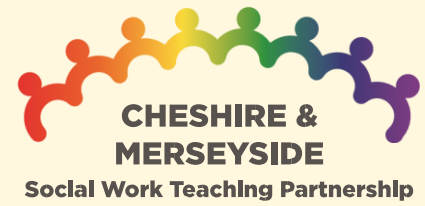


# SOCIAL WORK WITH CONVICTION



Inclusive social work recruitment for applicants with criminal convictions.



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## SUMMARY

This Report summarises published literature to consider the recruitment of applicants with criminal convictions to social work courses. We were motivated to focus on this issue due to anecdotal evidence of how difficult criminalised students can find it to apply to social work, particularly if their convictions intersect with experiences of trauma, such as exploitation, trafficking, or domestic abuse. 11 million people in the UK have a criminal record, including 1 in 3 men, yet less than 1% of applicants disclose criminal convictions to universities<sup>1</sup>. Drawing on good practice from existing research we make proposals for a strengths-based approach to diverse student recruitment and retention.

Our original plan was to co-write about social work recruitment experiences *with* criminalised students and staff who had been involved in access decisions, but recruitment of participants proved difficult, possibly due to the sensitivity of this issue. Those who did express interest either did not meet the inclusion criteria or were too few to ensure anonymity. Some students were still going through the criminal convictions process which presented a conflict of interest. We therefore adapted our study design to conduct a review of existing literature. Any individuals who had expressed an interest were signposted to university support services and/or external support charities such as Unlock and the Samaritans. We would like to thank everyone who expressed an interest, you played an important part in this report.

## RECOMMENDATIONS

- Social Work teaching partnerships should have a clear statement about how they **value experts by experience**, including as applicants to the profession.
- Social work departments should publish **accessible criminal records** policies for all courses from access to postgraduate level.
- Students should not have to undergo **repeated disclosure** and questioning before placements.
- Universities should include criminalised people in **widening participation** plans and create signposts to support within and beyond university.
- Criminal records decision panels should include lived experience advisors, and supporters for applicants. They should focus on the **strengths** of experts by experience, alongside risks.

# Findings and recommendations

## 1. Valuing experts by experience

Many criminalised people have experienced trauma<sup>ii</sup>. The victimisation of criminalised women, in particular, is well documented<sup>iii</sup>. Care leavers and racially minoritised groups are overrepresented in criminalised population<sup>iv</sup>, as are those from working-class backgrounds or who live in poverty<sup>v</sup>. Exclusions from social work education based on criminal records could be prohibitive for those who have survived intersecting forms of oppression from the profession. There is an ethical imperative to ensure such groups are not excluded from social work education<sup>vi</sup>. Those who have been subject to social interventions are also often 'experts by experience', uniquely placed to inform and improve social work<sup>vii</sup>:

People with lived experience often make resilient, highly motivated, empathetic, and knowledgeable employees and leaders who can effectively engage service users, make credible links with the communities [and] organisations... and provide fresh thinking, ideas and solutions<sup>viii</sup>.

Social Work England, the professional regulator for social workers in England, require courses to: 'Ensure that admissions processes assess the suitability of applicants, including... criminal conviction checks'<sup>ix</sup>. Yet they also encourage the involvement of 'experts by experience'<sup>x</sup> to inform and improve Social Work. This policy follows campaigns for 'nothing about us without us', highlighting that marginalised people are valuable and necessary contributors to policies and practices which affect them<sup>xi</sup>. Admissions processes need to be robust but, as it stands barriers exist for students who are 'experts by experience' which suggests a risk averse culture and a contradiction within the Social Work England policy.



## 2. Accessible, transparent policies

There is a lack of transparency about how gatekeeping decisions are made in relation to criminal histories<sup>xii</sup>. It is also not clear how many students on social work courses have criminal records and universities do not routinely report this data. Without transparency around admissions decisions, there is a danger that marginalised groups may be excluded from social work education<sup>xiii</sup>.

Existing recruitment policies that err on the side of caution seek to protect service users from abuse and dishonesty and to encourage public confidence in the profession<sup>xiv</sup>. There is indeed a need to safeguard people and to consider the reputation of institutions<sup>xv</sup>. Madoc-Jones and

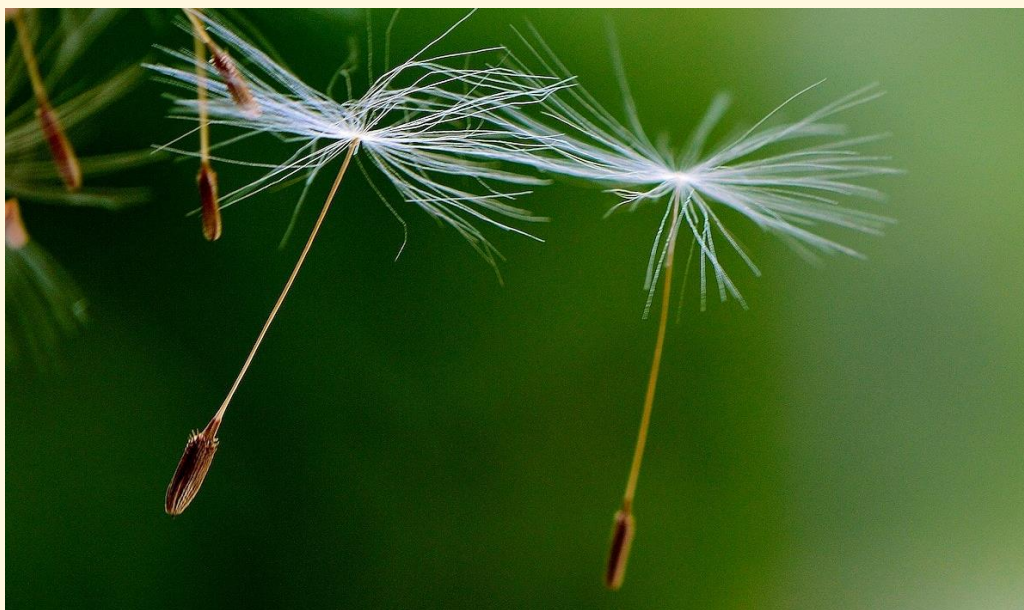
colleagues<sup>xvi</sup> recommended that pre-entry multi-agency panels assess social work course applicants with convictions, but that these panels should be **inquisitorial rather than adversarial**, consisting of higher education staff, social services representatives, service user representatives, and the applicant (who should be entitled to an advocate). They further argued that panel decisions should apply to placements to avoid students from having to undergo repeated disclosure and questioning.

Under the S124 of the Police Act 1997 and the DBS Code of Practice the University, as a Registered Body, may not share information contained on a disclosure with any third party; to do so constitutes a criminal offence regardless of whether or not the DBS lists a conviction or not. If a placement provider asks a student to see their DBS certificate it is the student's decision if they are comfortable showing their DBS certificate to them. Nelson and Cowburn<sup>xvii</sup> argued that a rigorous, ethical approach should also consider time since most recent conviction, changes in personal and social situation and social justice issues. This includes sensitively considering the social context of criminalisation<sup>xviii</sup>.

### 3. Widening participation

If marginalised groups are excluded from social work education, this will limit diversity in the social work profession, which is problematic when working with diverse communities<sup>xix</sup>. The inclusion of students with convictions is therefore a 'widening participation' issue<sup>xx</sup>. Students with criminal records often choose not to disclose their history to avoid institutional barriers, or even avoid academic opportunities altogether due to requirements to disclose criminal records<sup>xxi</sup>. Others feel unable to participate in student activities (e.g., studying abroad/ work-based projects) due to stigma and barriers<sup>xxii</sup>.

Whilst criminal convictions can create barriers to employment<sup>xxiii</sup>, higher education can offer people a 'hook for change'<sup>xxiv</sup>, helping to combat social exclusion. In a social work context, inclusive recruitment of criminalised people could demonstrate a commitment to the belief that people are capable of change<sup>xxv</sup> and create a meaningful route for 'experts by experience' to join the profession.



## 4. A strengths and rights based approach

There is a long history of marginalised people activating their lived experiences for social purpose (e.g., Davidson et al. 2012; LeBel et al. 2015). Over the last forty years, the transformative ‘social model’ of disability has been forged by disabled people<sup>xxvi</sup> and experience-led service delivery has grown rapidly, forming part of a broader ‘recovery paradigm’, which is increasingly common in the context of addiction<sup>xxvii</sup>, mental health, domestic violence, and sexual harm<sup>xxviii</sup>.

The penal voluntary sector (PVS) supporting criminalised people and their families is involved with forms of social work around the world, dwarfing state provision in some jurisdictions (Tomczak and Buck, 2019). This sector already recruits large numbers of people with lived experience of criminal justice. A recent report found that 53% of PVS organisations in England and Wales utilised service users as volunteers, and 29% employed service users as staff (Clinks 2019). Activating lived experiences for social purpose can be a ‘powerful and life-changing experience’, increasing self-confidence and employability skills (HMPPS 2021). Organisations which proactively employ people with criminal convictions can gain loyal, reliable, motivated staff and a sense of satisfaction by helping people to overcome barriers (Atherton and Buck, 2021). However, students with criminal records have highlighted punitive social work admissions policies that do not always consider the positive qualities that criminalised people can bring to the profession (Bramley et al., 2021). We advocate that admissions panels should focus on the strengths that experts by experience bring to their studies, alongside the existing focus on risks to be managed.

For more information about this project, contact Emily Weygang [e.weygang@chester.ac.uk](mailto:e.weygang@chester.ac.uk)

### Useful resources

[Unlock](#) advocate for people with criminal records so that they can move on positively. They have [advice](#) about applying to university and a [good practice guide](#) for higher education providers.

The British Association of Social Workers (BASW) has a [Criminal Justice Group](#) for social workers who have an interest in criminal/youth justice. They are keen for social workers with lived experience of criminal justice to [get involved](#).

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- <sup>i</sup> Unlock (2018)
- <sup>ii</sup> HMIP (2017)
- <sup>iii</sup> Roberts, J. (2019). 'It was do or die': how women's offending can occur as a by-product of attempting to survive domestic abuse. *Journal of gender-based violence*, 3(3), 283-302.
- <sup>iv</sup> (Hunter, 2019; Cunneen, 2020),
- <sup>v</sup> (Yates, 2010) (McAra & McVie, 2016)
- <sup>vi</sup> (Nelson and Cowburn, 2010).
- <sup>vii</sup> (Social Work England, 2020).
- <sup>viii</sup> (Criminal Justice Alliance, 2019: 2).
- <sup>ix</sup> (SWE 2021: 1.4),
- <sup>x</sup> (SWE, 2020).
- <sup>xi</sup> (Buck et al., 2021).
- <sup>xii</sup> Bald, C., Wyllie, A., & Martínez Herrero, M. I. (2022). Criminal records and public sector professional education: The role of criminal background checks in admissions to social work courses in England. *Probation Journal*, 69(3), 337–352.
- <sup>xiii</sup> (Nelson and Cowburn, 2010).
- <sup>xiv</sup> Perry, R. W. (2004). The impact of criminal conviction disclosure on the self-reported offending profile of social work students. *British Journal of Social Work*, 34(7), 997-1008.
- <sup>xv</sup> Bramley, S., Norrie, C., & Manthorpe, J. (2021). Current practices and the potential for individuals with criminal records to gain qualifications or employment within social work: A scoping review. *Social Work Education*, 40(4), 552-568.
- <sup>xvi</sup> Madoc-Jones, I., Bates, J., Facer, B., & Roscoe, K. (2007). Students with criminal convictions: Policies and practices in social work education. *British Journal of Social Work*, 37(8), 1387-1403.
- <sup>xvii</sup> Nelson and Cowburn (2010)
- <sup>xviii</sup> Bald, C., Wyllie, A., & Martínez Herrero, M. I. (2022). Criminal records and public sector professional education: The role of criminal background checks in admissions to social work courses in England. *Probation Journal*, 69(3), 337–352.
- <sup>xix</sup> Bald, C., Wyllie, A., & Martínez Herrero, M. I. (2022). Criminal records and public sector professional education: The role of criminal background checks in admissions to social work courses in England. *Probation Journal*, 69(3), 337–352.
- <sup>xx</sup> Gosling, H. J., & Burke, L. (2019). "People like me don't belong in places like this." Creating and developing a community of learners beyond the prison gates. *Journal of Prisoner Education and Re-entry*, 6(1).
- <sup>xxi</sup> Fretwell, M. (2019). Punishment beyond bars: Pursuing higher education with the degree of incarceration. *McNair Scholars Research Journal*, 14(1), 9.
- <sup>xxii</sup> Tewksbury, R. and Ross, J. 2017. Instructing and Mentoring Ex-Con University Students in Departments of Criminology and Criminal Justice, Corrections. *Policy, Practice and Research*. 4 (2).
- <sup>xxiii</sup> Atherton, P., & Buck, G. (2021). Employing with conviction: The experiences of employers who actively recruit criminalised people. *Probation Journal*, 68(2), 186-205.
- <sup>xxiv</sup> Runell, L. L. (2017). Identifying desistance pathways in a higher education program for formerly incarcerated individuals. *International Journal of Offender Therapy and Comparative Criminology*, 61(8), 894-918.
- <sup>xxv</sup> Bramley, S., Norrie, C., & Manthorpe, J. (2021). Current practices and the potential for individuals with criminal records to gain qualifications or employment within social work: A scoping review. *Social Work Education*, 40(4), 552-568.
- <sup>xxvi</sup> Oliver, M. (2013). The social model of disability: thirty years on. *Disability & Society*, 28(7), 1024–1026.
- <sup>xxvii</sup> Best, D. W., & Lubman, D. I. (2012). The recovery paradigm: A model of hope and change for alcohol and drug addiction. *Australian Family Physician*, 41(8), 593–597.
- <sup>xxviii</sup> (Barr et al. 2020) (Gilbert 2020), (Buck et al. 2017).