



# Finding work after prison

A survey into prisoners' attitudes towards employment and the criminal record tick box



## Introduction

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Ban the Box was launched in October 2013, as part of Business in the Community's work to help people overcome disadvantage by increasing access to good, sustainable employment. The campaign calls on employers to create fair opportunities for ex-offenders to compete for jobs by removing the tick box from application forms and asking about criminal convictions at a later stage in the recruitment process.

Originating in the USA, Ban the Box began in response to employer discrimination against job-seekers with criminal convictions, which makes it difficult for ex-offenders to get past the first stage of the recruitment process, let alone to secure employment. Anecdotal feedback suggests that the presence of the criminal record tick box on job application forms can often prevent candidates with convictions from applying. In order to investigate this, Business in the Community conducted a survey of prisoners at HMP Nottingham. The findings of the survey are outlined in this report, along with recommendations for businesses and other organisations.

## Methodology

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The intention of this research was to understand whether prisoners feel the tick box has an impact on their chance of finding employment after leaving prison. The survey was designed by members of Business in the Community's Work Inclusion team, with guidance from the HMPS East Midlands Lead Psychologist.

The survey consisted of 14 questions, and was designed to collect both quantitative and qualitative data. To obtain survey responses, Business in the Community worked closely with the Education Department of HMP Nottingham. Over the course of two weeks, hard copies of the surveys were handed out to prisoners during education classes. Prisoners were supervised by the teacher on duty, who also provided support to prisoners who would otherwise have been unable to participate.

### Ethical considerations

Before gathering responses, the research methodology and survey content were sent to the National Offender Management Service Ethics Committee for approval. All surveys were answered anonymously and each respondent signed a consent form indicating their willingness for their responses to be used in the study. Participants were also given a cooling-off period, during which time they could withdraw from the study.

### Demographic of respondents

The demographic of respondents was consistent with that of the wider male prison population:<sup>1</sup>

- The largest ethnic group amongst respondents was white, representing 67% of respondents compared with 74% of the entire male prison population; while 27% of respondents were from a minority ethnic group, compared with 26% of the total prison population.<sup>2</sup>
- The majority of respondents were aged between 25 and 44, which is consistent with the wider male prison population.

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<sup>1</sup> A breakdown of demographics can be found in an appendix to this report.

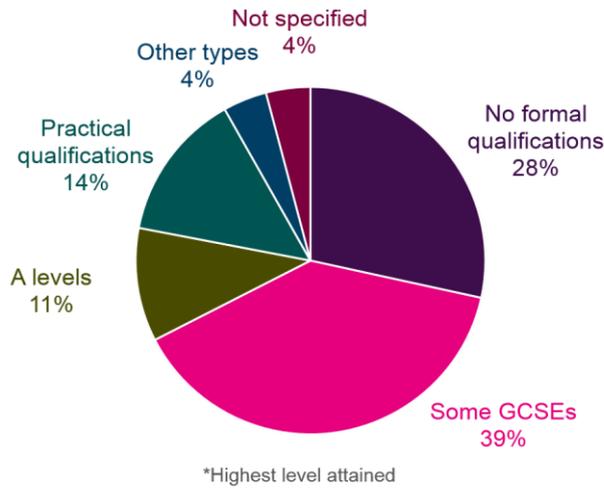
<sup>2</sup> It is important to note that the percentage of non-respondents was significantly higher amongst participants than amongst the total prison population.

# Findings

## Prisoners want to find employment

Three quarters of respondents had worked before, and 68% said they had some form of qualifications:

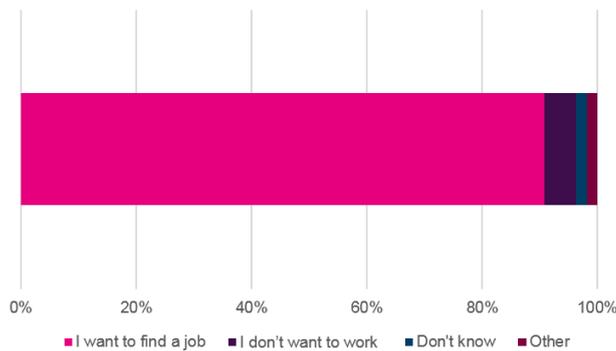
### Qualifications of respondents\*



It is important to note that the educational attainment of respondents was significantly higher than that of the wider prison population, where only 53% of prisoners have been found to have qualifications. This is likely to reflect the research methodology, specifically the fact that all survey respondents were attending education classes in prison.

9 in 10 respondents said they wanted to find employment on release:

### Those able to work



A number of respondents highlighted the importance of employment for their well-being, and that of their families:

*“I believe a job keeps you sane and level”*

*“Everybody’s got to eat and feed their kids”*

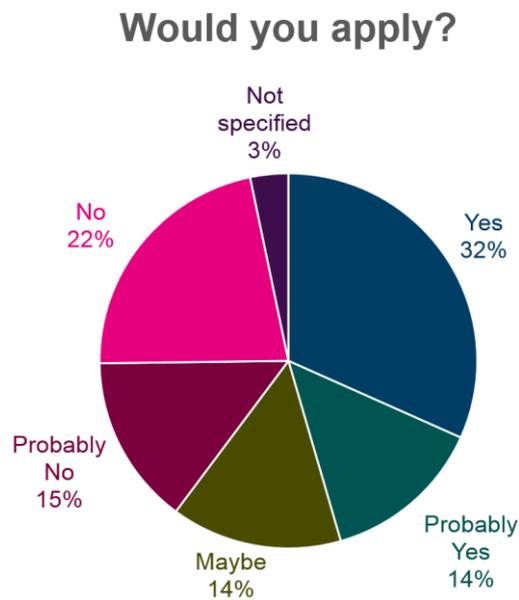
Others emphasised the role employment plays in preventing them from re-offending:

*“I would like to work because it would keep me motivated and also would keep me out of re-offending all the time and I need one to change my life for once...I need a job”*

*“I would like to work to support myself and my children - it would keep me off the streets”*

### Applying for jobs with a tick box

When asked whether they would apply for a job if there was a tick box on the application form, responses were mixed. **32% of respondents** said they would definitely apply for the job, however **over half (52%)** said they would not apply, or expressed reservations about applying for the job:



A number of respondents expressed a desperation to get into work, with one respondent stating that he “would do anything to apply for that job”. In this case respondents said they would apply, despite having low expectations of getting the job. However, those expressing reservations felt that “there is no point” in applying, and it is a “waste of time”:

*“I wouldn’t get it anyway when they look at it because of [my] criminal record”*

*“They could turn my application down just by looking at this box and not looking at anything else”*

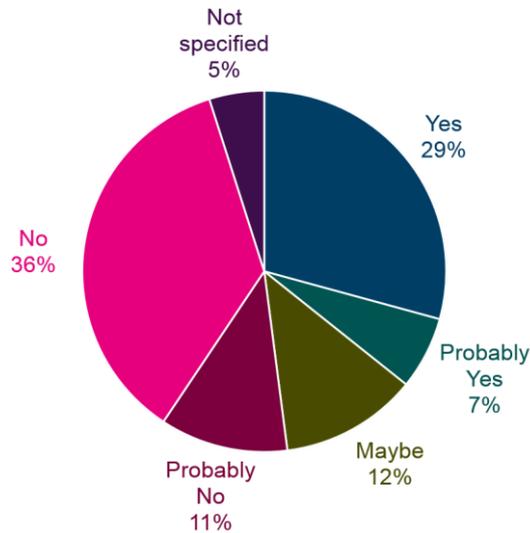
*“Because it’s an application form and you won’t be able to get your point across and explain why you’re applying for the job”*

*“I’d think if I ticked it I wouldn’t get the job anyway”*

### The tick box causes concern and confusion

Only 1 in 3 respondents said they would declare their criminal convictions when asked on an application form:

#### Would you tick 'yes'?



Written comments demonstrated that the tick box can cause substantial confusion and concern - some respondents were clearly unaware of the legal obligation to disclose, while the majority expressed concern that ticking 'yes' would reduce their chances of getting the job:

*“Every job interview I've had I've always denied having any convictions because as soon as you say you're an ex-criminal no [one] wants to know”*

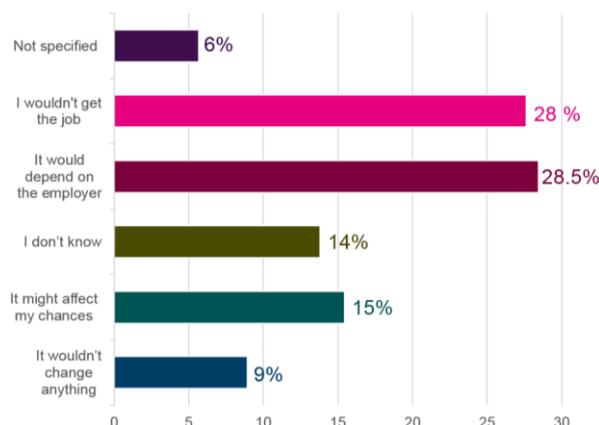
*“As far as I'm aware I do not have to disclose my past”*

*“If I went for a job and declared my criminal record, I don't think I'd get an interview”*

### Disclosure can lead to discrimination

When asked directly if ticking 'yes' would affect their chances, **71% of respondents** thought that the tick box could affect their chances of getting the job, with **nearly a third** suggesting it would depend on the employer:

#### Would it affect your chances?



Where this was the case, many respondents suggested that their chances of getting the job rested solely on the employer being open to recruiting ex-offenders:

*“All depends [on] whether they’ll listen to you as you or see you purely as a criminal”*

*“If the employer was open minded and non-judgemental, I [would] have a better chance of getting a job”*

*“Depends whether the employer believes in equality”*

*“Some are more understanding than others”*

Others clearly felt that open-minded employers are few and far between:

*“Some companies have no leeway with criminal records but some places can be at their own discretion so it dramatically reduces your chances of finding a job but doesn't take away the possibility”*

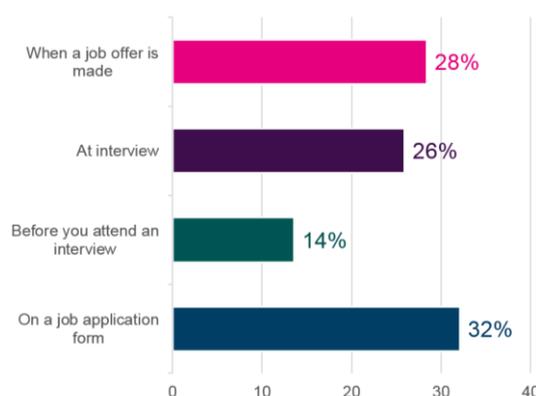
*“Convicts usually get no jobs or are at the back of the list”*

*“It's dependent on the employer but I strongly believe answering truthfully will often have a negative effect on my employment opportunity!”*

*“They would use any other excuse but it will always come down to the convictions”*

Although just under half of respondents suggested they would definitely or probably apply for a job if asked to disclose on an application form, **4 out of 5 of these respondents** would prefer to be asked at a later stage in the recruitment process. Of the respondents who specified the stage at which they prefer to be asked, **nearly 70%** said they would prefer to be asked after the initial sift:

### When would be best to ask?



## Conclusion

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Overall, the survey revealed that for prisoners the picture is clear: even with the best will and intentions, they feel that having a criminal conviction makes it very difficult to get a job. The majority have qualifications and want to find work, but expect employers will judge them based on their past mistakes rather than their skills and abilities. As a result, prisoners feel their options are limited: they can either tick 'yes' and hope for an open-minded recruiter, or tick 'no', and hope their future employer gives them the opportunity to explain later or doesn't find out. For many, these options mean that there is little point applying for a job when there is a tick box on the application form.

When 68% of prisoners think 'having a job' is important for rehabilitation, the potential impact of the tick box is extensive.<sup>3</sup> Whilst we acknowledge that more research is needed to understand whether these findings are representative of the wider prison population, this initial study suggests that the tick box is a major barrier to finding employment and reducing re-offending.

## Recommendations

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Through this research we have found that the tick box confuses and concerns prisoners and is, at worst, detrimental to both candidates and employers. We therefore recommend:

1. **Employers remove the tick box**, and implement an alternative recruitment process to give people with criminal convictions the chance to be assessed first on the basis of their skills and abilities.
2. **Employers encourage and enable honest and open disclosure** by publicising their willingness to consider candidates with convictions, and clearly articulating when and how candidates will be asked.
3. **Charities, prisons and other relevant services provide people with criminal convictions more support** to understand their criminal record and provide adequate training to enable them to effectively disclose their convictions to employers.

## Acknowledgements

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Business in the Community would like to thank all those who helped to make this research possible. In particular, thank you to everyone who responded to the survey, and to HMP Nottingham for facilitating the research.

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<sup>3</sup> Ministry of Justice (2012) The pre-custody employment, training and education status of newly sentenced prisoners, London: Ministry of Justice

## Appendix

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### Demographics of respondents compared with the wider male prison population

Ethnicity of respondents	
White	66.7%
Mixed/multiple	12.2%
Asian/Asian British	8.1%
Black/Black British	4.9%
Chinese or other	2.4%
None specified	5.7%

Ethnicity of male prison population	
White	73.5%
Mixed/multiple	4.1%
Asian/Asian British	8.1%
Black/Black British	12.5%
Chinese or other	1.2%
None specified	0.3%

Age of respondents	
18-24	17.9%
25-34	36.6%
35-44	28.5%
45-54	8.9%
55-64	4.9%
65+	1.6%
Not specified	1.6%

Age of male prison population	
15-17	0.9%
18-20	6.1%
21-24	14.2%
25-29	18.9%
30-39	28.7%
40-49	17.6%
50-59	9.0%
60 and over	4.7%