Recruit With Conviction is a Scottish bases social enterprise which promotes safe and sustainable employment for people with criminal convictions by working with employers and employability specialists in workshops and ambassador networks. Each workshop aims to both disseminate information as well as inform the knowledgebase about effective practice.

While workshop participants start off with varying degrees of understanding, we strive to respect feelings of participants but challenge misconceived perceptions and promote equality, diversity and inclusion by threading through understanding of unconscious bias about other barriers to employment which are faced by our most vulnerable friends and neighbours.

A criminal record is rarely a single barrier and it disproportionately intersects with victims of crime, deprivation, male gender and minority ethnic backgrounds. Beyond this there are complex dynamics when criminal convictions intersect any protected characteristic and empathy may be challenged by unconscious bias in relation to age, disability, gender reassignment, sex, race, religion or belief, sexual orientation, marriage and civil partnership and pregnancy and maternity.

Where the criminal record marker intersects minority ethnic backgrounds and poverty then ethno-cultural empathy is particularly challenged. Decisions can be influenced by the recruiter’s unconscious bias relating to a “person who does not look like me or sound like me” and then the bias can be increased disproportionately because the applicant also has a criminal record.

1 in 3 men and 1 in 10 women in Scotland have at least one criminal conviction and the conviction marker correlates with low pay, unemployment and transient employment.

Evidence from England and Wales 1. “Experimental statistics from the 2013 MoJ/DWP/HMRC data share: Linking data on offenders with benefit, employment and income data” which tracked incomes of more than 4 million people with criminal convictions shows significant disadvantage in the earning of people from different ethnic backgrounds who also had a criminal conviction. These figures were calculated 8 years after their conviction/caution or release from prison.

Median annual wage of people with criminal records from different ethnic backgrounds in 2011/12

White - North European £14,600
White - South European £10,700
Black £11,400
Asian £11,700
Chinese, Japanese or South East Asian £12,400
Middle Eastern £8,700
Unknown £16,500
Total £14,300

No direct general population comparison is available in the research, however the Annual Survey of Hours and Earnings, which calculates the figures on a different basis, shows that the median amount of earnings for UK employees aged 16 and over in 2011 was £21,100

Recruit With Conviction partners in England have provided anecdotal evidence that recruitment drives for positive discrimination on the grounds of ethnicity tend to be more successful where recruiters are empowered and authorised to select candidates with convictions.

For a wider international context Pepsico, were fined $3.13m in the USA for applying blanket bans on recruiting people with markers against criminal background checks. The fine specifically related to indirect discrimination on the grounds of race because people from minority ethnic backgrounds were disproportionately disadvantaged.

The above information relates specifically to cultural dynamics outside Scotland where minority ethnic backgrounds correlate closely with poverty. This has been presented because there is an evidence gap relating to the impact of previous convictions intersecting with minority ethnic backgrounds.

While the committee might view this evidence as peripheral, we would argue that it should be a central objective to ensure that the most excluded people within any disadvantaged groups should be a priority for support in a fully inclusive Scotland.


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Recruit with Conviction
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